

ATLANTA CITY COUNCIL

ACTION MINUTES

NOVEMBER 05, 2012

The Atlanta City Council held its Regularly Scheduled Meeting on Monday, November 05, 2012. The Meeting convened at 1:23 p.m. in Atlanta City Hall's Council Chamber. The roll was called and a quorum was declared.

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

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

The Honorable Carla Smith	The Honorable Felicia A. Moore
The Honorable Kwanza Hall	The Honorable C. T. Martin
The Honorable Ivory Lee Young, Jr. *1:44	The Honorable Keisha Bottoms *1:30
The Honorable Cleta Winslow *2:28	The Honorable Joyce M. Sheperd
The Honorable Natalyn Archibong*1:30	The Honorable Michael J. Bond *1:30
The Honorable Alex Wan	The Honorable Aaron Watson
The Honorable Howard Shook	The Honorable H. Lamar Willis *2:39
The Honorable Yolanda Adrean	

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

INVOCATION: Reverend Raphael Gamaliel Warnock of the Ebenezer Baptist Church 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: Rhonda Dauphin Johnson, Municipal Clerk, certified to the Council that the **Action/Minutes** of the **Atlanta City Council's October 15, 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 **Committee on Council** to report **first**. It was properly Seconded and **CARRIED** by a roll call vote of **12 yeas**; *(Councilmembers Smith, Hall, Young, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd and Bond)*; **0 nays**. Following, a Motion to **Adopt as Amended** was Moved and then **CARRIED** by a roll call vote of **12 yeas**; *(Councilmembers Smith, Hall, Young, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd and Bond)*; **0 nays**.

COMMUNICATIONS

11/5/12 Action Minutes

Council President Ceasar C. Mitchell Presided

COMMUNICATIONS

- 12-C-1528 (1) A Communication by **Chief Procurement Officer Adam L. Smith** submitting the corrected copy of the October 2012 Monthly Contracts Report to the Atlanta City Council and Clerk of Council pursuant to Section 2-1142 of the Atlanta City Code of Ordinances.
FILED WITHOUT OBJECTION
- 12-C-1535 (2) A Communication by **City Auditor Leslie Ward** submitting the Audit Plan for Fiscal Year 2013.
FILED WITHOUT OBJECTION
- 12-C-1591 (3) A Communication by **Councilmember Aaron Watson** appointing P. Ramsay Batting to serve as a member of the Keep Atlanta Beautiful Board. This appointment is for a term of two (years), scheduled to begin on the date of Council confirmation.
REFERRED TO CITY UTILITIES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

VETOED LEGISLATION

Council President Ceasar C. Mitchell Presided

VETOED LEGISLATION

NONE

UNFINISHED BUSINESS

Council President Ceasar C. Mitchell Presided

UNFINISHED BUSINESS

NONE

**CONSENT AGENDA
SECTION I**

11/5/12 Action Minutes

Council President Ceasar C. Mitchell 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: 12 Yeas (*Councilmembers Smith, Hall, Young, 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-1414 (1) 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.

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

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

MICHAEL J. BOND, CHAIR

12-O-1258 (2) An Ordinance by **Councilmembers Carla Smith, Alex Wan and Kwanza Hall as Amended by Public Safety and Legal Administration Committee** amending Sections 10-3 of the Code of Ordinances of the City of Atlanta in order to clarify that an Alcohol License is not required where a premises hosts an event and/or function which completely void of any commercial element, such as weddings and other wholly private functions, where the premises is not providing the alcohol; and for other purposes.

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

12-O-1339 (3) 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") 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.

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

11/5/12 Action Minutes

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

TRANSPORTATION COMMITTEE

C. T. MARTIN, CHAIR

- 12-O-1335 (4) 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.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 12-O-1336 (5) 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.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 12-O-1369 (6) 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.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 12-O-1370 (7) 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.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS

11/5/12 Action Minutes

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

FINANCE/EXECUTIVE COMMITTEE

FELICIA A. MOORE, CHAIR

- 12-O-1356 (8) A **Substitute** 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 Chief Financial Officer to remit payment to the Chastain Park Conservancy utilizing the 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; on behalf of the Department of Parks, Recreation and Cultural Affairs; in the 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 listed FDOA Numbers; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 12-O-1413 (9) An Ordinance by **Councilmember Kwanza Hall as Substituted by Finance/Executive Committee** to provide the funding in the amount \$10,000.00 from District 2 Councilmember's Non-Departmental Reserve (Councilmember's Carry Forward) to create a "Main Street Program" in the Auburn-Edgewood Corridor in the Old Fourth Ward; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 12-O-1418 (10) An Ordinance by **Councilmember Aaron Watson** to transfer \$1,500.00 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.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, CHAIR

- 12-O-1421 (11) An Ordinance by **Councilmember Alex Wan as Substituted by Finance/Executive Committee** to authorize the contribution of funds in the amount of \$5,000.00 from the District 6 Councilmember's Budget to contribute to the Piedmont Park Expansion Project and reauthorize the contribution and disbursement of \$20,000.00 authorized by Ordinance 11-O-1059; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 12 YEARS; 0 NAYS

CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

- 12-O-1415 (12) 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.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEARS; 0 NAYS

RESOLUTIONS

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

JOYCE SHEPERD, CHAIR

- 12-R-1424 (1) A Resolution by **Councilmembers Keisha Lance Bottoms, Lamar H. 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 \$250,000.00; all work to be charged to and paid from accounts listed below; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEARS; 0 NAYS

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Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

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

- 12-R-1527 (2) A Resolution by **Community Development/Human Resources Committee** for the sole purpose of correcting the contracting party name in Resolution 12-R-1066, such that hereafter the Mayor shall be authorized to execute a contract for FC-5988 on behalf of City of Atlanta with Tunnell, Spangler & Associates, Inc. doing business as Tunnell-Spangler-Walsh & Associates in an amount not to exceed \$184,000.00 for the purpose of developing a Livable Centers Initiative (LCI) Study in conjunction with the Atlanta Development Authority doing business as Invest Atlanta for the Lakewood/Screen Gems Project and surrounding neighborhoods; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

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

- 12-R-1139 (3) A Resolution by **Councilman Kwanza Hall as Amended by Public Safety and Legal Administration Committee** authorizing the City of Atlanta to accept the Pro Bono donation of Professional Services from WestCare Georgia, consisting of Drug Treatment Services in the City of Atlanta Detention Center, for a period of one (1) year, at no cost to the City, said services being worth an estimated value of approximately \$280,000.00; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 12-R-1423 (4) A Resolution by **Councilmembers Felicia A. Moore, Joyce M. Sheperd, Michael J. Bond, Yolanda Adrean, H. Lamar Willis and Kwanza Hall** requesting the Municipal Court of the City of Atlanta to provide a Quarterly Report to the City Council detailing the citations issued for, and subsequently 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.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

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Council President Caesar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

MICHAEL J. BOND, CHAIR

- 12-R-1441 (5) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of Ella Johnson v. City of Atlanta, Civil Action File No. 2011CV204522, in the amount of \$20,000.00; authorizing said payment to be charged to and paid from the FDOA 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 12 YEAS;
0 NAYS
- 12-R-1442 (6) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of Philip Reece v. City of Atlanta, Civil Action File No. 2010EV011173Y, Pending in Fulton County State Court, in the amount of \$20,000.00; authorizing said payment to be charged to and paid from the FDOA 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 12 YEAS;
0 NAYS
- 12-R-1443 (7) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of Lynn Walker v. City of Atlanta, Civil Action File Number 1:12-CV-1569-WBH, United States District Court, Northern District of Georgia, Atlanta Division, in the amount of \$40,000.00; authorizing payment of \$40,000.00 to be charged to and paid from the FDOA 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 12 YEAS;
0 NAYS
- 12-R-1444 (8) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of Michael Moebes v. City of Atlanta, Georgia, Civil Action File No. 2010-CV-182964, Fulton County Superior Court, in the total amount of \$75,000.00; authorizing said payment to be paid from the FDOA 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 12 YEAS;
0 NAYS

11/5/12 Action Minutes

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

TRANSPORTATION COMMITTEE

C. T. MARTIN, CHAIR

- 12-R-1512 (9) 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-6006007929-A, Architectural and Engineering Design Services, with Hartsfield Support Services Team in an amount not to exceed \$2,000,000.00; to provide services for South Cargo Building C at Hartsfield-Jackson Atlanta International Airport. All services shall be charged to and paid from the PTAE0 and FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 12-R-1514 (10) A Resolution by **Transportation Committee** authorizing the Mayor to execute an Agreement with M. C. Dean, Inc., for FC-5944, Maintenance and Service Support for Public Safety Systems, in an amount not to exceed \$881,360.35 in year one (1), and \$863,968.39 in year two (2). All contracted work shall be charged to and paid from the FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 12-R-1524 (11) A Resolution by **Transportation Committee** authorizing the Mayor to execute a Contract for Project Number FC-5923, Concourse D Midpoint Expansion & Runway 27R Extension Site Preparation & Paving and Lighting Audit Services with Tax and Accounting Solutions, Inc., at Hartsfield-Jackson Atlanta International Airport, in an amount not to exceed \$140,000.00 to be charged to and paid from the FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS

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Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE

FELICIA A. MOORE, CHAIR

- 12-R-1417 (12) A Resolution by **Councilmember Joyce Sheperd as Substituted by Finance/Executive Committee** 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 \$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 the listed Accounts; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 12-R-1517 (13) A Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into a Cooperative Purchasing Agreement with Prosys, designated by the Department of Procurement as COA-6251-PL, pursuant to Section 2-1602 of the City of Atlanta Code of Ordinances, utilizing GSA Contract #GS-06F-1170Z, to purchase Mobile Data Terminals for police vehicles, on behalf of the Atlanta Police Department ("Department"), in an amount not to exceed \$252,755.00. All costs shall be charged to and paid from the listed Account Numbers; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 12-R-1518 (14) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee to enter into an Agreement with MGT of America, Inc., for FC-5627, Cost Allocation Consulting Services, on behalf of the Department of Finance, for the Cost Allocation Plan Services, in an amount not to exceed \$171,400.00 for an initial term of two (2) years; all contracted work shall be charged to and paid from the listed Fund, Center Number, Account and Functional Activity Numbers; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, CHAIR

12-R-1519 (15) A Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee to enter into a Cooperative Purchasing Agreement to be designated as Agreement Number COA-6143-PL pursuant to Division 15 Section 2-1604 of the City of Atlanta Code of Ordinances, utilizing Georgia Statewide Contract Number 99999-SPD-T20100419-0001 with CDW Government, LLC, an authorized EMC Corporation Reseller, to purchase Hardware, Software, and Professional Services necessary for the Geographic Information Systems and Planning Atlanta Land Information System Project on behalf of the Department of Information Technology, in an amount not to exceed \$460,964.71; all costs to be charged to and paid from the listed Account Numbers; and for other purposes.

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

12-R-1520 (16) A Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into a Cooperative Purchasing Agreement with Utility, designated by the Department of Procurement as COA-6267-PL, pursuant to Section 2-1602 of the City of Atlanta Code of Ordinances, utilizing GSA Contract #GS-35F-4342D, to purchase In-Car Modems from Utility for Atlanta Police vehicles, on behalf of the Atlanta Police Department ("Department"), in an amount not to exceed \$136,585.60. All costs shall be charged to and paid from the listed Account Numbers; and for other purposes.

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

12-R-1521 (17) A Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee to enter into a Cooperative Purchasing Agreement to be designated as Formal Contract Number FC-6261, pursuant to Section 2-1601 et seq. of the City of Atlanta Code of Ordinances, utilizing General Services Administration ("GSA") Contract GS-35F-4357D, between the United States Government and General Dynamics, Inc., ("Agreement"), beginning on the date fully executed and continuing until 13 September 2013, for the purchase of Computer Technology Products and Services to support the Atlanta High Intensity Drug Trafficking Area Task Force ("HIDTA"), on behalf of the Department of Police ("Department"), in an amount not to exceed \$228,441.60 per year; all costs shall be charged to and paid from the listed Account Numbers; and for other purposes.

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

11/5/12 Action Minutes

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, CHAIR

12-R-1522 (18) A Resolution by **Finance/Executive Committee** authorizing Renewal No. 2 with Industrial Furnace Company, Inc., for FC-4941, Incinerator Maintenance, Repair and Replacement for R. M. Clayton and Utoy Creek WRC, on behalf of the Department of Watershed Management, in an amount not to exceed \$751,400.00; all contracted work will be charged to and paid from the listed Fund, Department Organization and Account Numbers; and for other purposes.

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

12-R-1530 (19) A Resolution by **Finance/Executive Committee** accepting the report and recommendations of the City of Atlanta Elected Officials Compensation Commission regarding the salaries of the 2014 incoming Mayor, Council President, Councilmembers and Members of the Atlanta Board of Education; and for other purposes.

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

CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

12-R-1422 (20) A Resolution by **Councilmember Natalyn M. Archibong as Substituted by City Utilities Committee**, to authorize 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 \$8,500.00 as stipulated penalties for the violation of Total Chlorine Residual Operational Standard at the West Area R. M. Clayton CSO on October 04, 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 12 YEAS; 0 NAYS**

11/5/12 Action Minutes

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

CITY UTILITIES COMMITTEE (CONT'D)

NATALYN M. ARCHIBONG, CHAIR

- 12-R-1499 (21) A Resolution by **City Utilities Committee** authorizing Renewal No. 2 with Ed Castro Landscape, Inc., for FC-5068, Annual Contract for Landscape Services, on behalf of the Department of Watershed Management, in an amount not to exceed \$322,800.00; all contracted work will be charged to and paid from the listed Fund, Department Organization and Account Numbers; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-1500 (22) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into an agreement with Screening Systems International, Inc., for FC-5936, Annual Contract for Traveling Screens Services, on behalf of the Department of Watershed Management, in an amount not to exceed \$168,342.00; all contracted work will be charged to and paid from the listed Fund, Department Organization and Account Numbers; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-1501 (23) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into a Consent Order with the Environmental Protection Division, Department of Natural Resources of the State of Georgia and to authorize payment pursuant to the Consent Order in the amount of \$113,000.00 to resolve alleged violations of the Georgia Water Quality Control Act and the Georgia Rules and Regulations for Water Quality Control; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-1502 (24) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into an agreement with Camken Consulting, Inc., for FC-5664, Sewer Rehabilitation Contract A, on behalf of the Department of Watershed Management, in an amount not to exceed \$1,328,677.50; all contracted work will be charged to and paid from the listed Fund, Department Organization and Account and PTAE0 Numbers; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**

11/5/12 Action Minutes

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

MICHAEL J. BOND, CHAIR

Claims with favorable recommendations:

- 12-R-1445 (1) Claim of **Edna Clark (DWM/01)**, for property damage alleged to have been sustained as a result of a sewer backup on April 10, 2012 at 1184 Kipling Street. **\$508.30**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEARS;
0 NAYS
- 12-R-1446 (2) Claim of **LaTonya Bailey (DWM/01)**, for vehicular damage alleged to have been sustained from a water valve on May 9, 2012 at 243 McDonough Boulevard. **\$724.26**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEARS;
0 NAYS
- 12-R-1447 (3) Claim of **Gregory Franks (DPW/01)**, for bodily injury alleged to have been sustained from an automobile accident on June 6, 2012 at 1705 Jonesboro Road. **\$767.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEARS;
0 NAYS
- 12-R-1448 (4) Claim of **Atlanta Gas Light Company, through their attorney, John C. Williams (DWM/07)**, for vehicle damages alleged to have been sustained as a result of the repair of a water main on March 5, 2010 at 185 Worth Drive. **\$1,067.24**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEARS;
0 NAYS
- 12-R-1449 (5) Claim of **Christopher Everett (DPW/09)**, for property damage sustained as a result of the collection of yard debris on March 28, 2012 at 838 North Grand Avenue. **\$1,100.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEARS;
0 NAYS
- 12-R-1450 (6) Claim of **Lynne Garton (DWM/05)**, for personal injury alleged to have been sustained as a result of falling on a water meter on May 18, 2012 at 506 Flat Shoals Avenue, SE. **\$2,000.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEARS;
0 NAYS

11/5/12 Action Minutes

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D) MICHAEL J. BOND, CHAIR

Claims with favorable recommendations: (Cont'd)

- 12-R-1451 (7) Claim of **Aubrey Martin Geary, III, through his attorney, Montlick and Associates, P.C. (DWM/03)**, for bodily injury alleged to have been sustained after stepping into an uncovered water meter box on October 8, 2011 at 1167 Joseph E. Boone Boulevard. **\$3,500.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 12-R-1452 (8) Claim of **Lam Van Vo, through his attorney, Palazzola Law Firm (DWM/NA)**, for bodily injury alleged to have been sustained from an automobile accident on May 6, 2011 at South Gordon Road and Songwood Drive. **\$8,000.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 12-R-1453 (9) Claim of **Jerome Davis, through his attorney, Danielle Wick (DWM/12)**, for bodily injury allegedly sustained as a result of a vehicular accident on December 28, 2010 at 230 Cleveland Avenue. **\$9,000.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 12-R-1454 (10) Claim of **PurCo Fleet Services, Inc., as subrogee of Advantage Rent A Car (APD/01)**, for property damages alleged to have been sustained from an automobile accident on October 7, 2011 at the intersection of Sawtell Avenue, SE and Richmond Avenue, SE. **\$10,000.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 12-R-1455 (11) Claim of **Cuc Thi Nguyen, through her attorney, Palazzola Law Firm (DWM/NA)**, for bodily injury alleged to have been sustained from an automobile accident on May 6, 2011 at South Gordon Road and Songwood Drive. **\$15,000.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS

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Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

MICHAEL J. BOND, CHAIR

Claims with unfavorable recommendations:

- 12-R-1456 (12) Claim of **Anthony Wyzard (NA/02)**, for vehicular damages alleged to have been sustained after driving over a construction site on September 5, 2009 at 267 Marietta Street, NW and Park Avenue West, NW.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 12-R-1457 (13) Claim of **Altamese Rogers, through her attorney, Franklin Evans (DWM/02)**, for bodily injury allegedly sustained as a result of walking into a damaged water meter box on July 16, 2010 at 554 Piedmont Avenue.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 12-R-1458 (14) Claim of **Nkengle Clark, through her attorney, Bruce Millar (APD/12)**, for personal injury alleged to have been sustained as a result of a vehicular accident on December 5, 2010 at 230 Cleveland Avenue.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 12-R-1459 (15) Claim of **JayShawn Hampton, through his attorney, Bruce Millar (APD/12)**, for personal injury alleged to have been sustained as a result of a vehicular accident on December 5, 2010 at 230 Cleveland Avenue.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 12-R-1460 (16) Claim of **Barbara Kelly, through her attorney, Bruce Millar (APD/12)**, for personal injury alleged to have been sustained as a result of a vehicular accident on December 5, 2010 at 230 Cleveland Avenue.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 12-R-1461 (17) Claim of **Sheneka Pettigrew, through her attorney, Bruce Millar (APD/12)**, for personal injury alleged to have been sustained as a result of a vehicular accident on December 5, 2010 at 230 Cleveland Avenue.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 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 unfavorable recommendations: (Cont'd)

- 12-R-1462 (18) Claim of **Belinda Morgan (DWM/06)**, for property damage sustained as a result of the repair of a sewer line on December 15, 2010 at 826 Virginia Circle.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-1463 (19) Claim of **Kenneth Bowen (APD/01)**, for property damage sustained as a result of a vehicular accident on April 7, 2011 at Moreland Avenue at Eastland Avenue.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-1464 (20) Claim of **State Farm Insurance, as subrogee of Kenneth Bowen (APD/01)**, for property damage sustained as a result of a vehicular accident on April 7, 2011 at Moreland Avenue at Eastland Avenue.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-1465 (21) Claim of **Karen Pojakene, through her attorney, John F. X. Androski (DOA/NA)**, for bodily injury alleged to have been sustained from an incident on May 7, 2011 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-1466 (22) Claim of **Damon Sgrignoli (DWM/05)**, for damages alleged to have been sustained as a result of a water meter leak on August 12, 2011 at Bates Avenue.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-1467 (23) Claim of **Mark White, through his attorney, M. Brooks Derrick (DOA/NA)**, for bodily injury alleged to have been sustained from an incident on August 24, 2011 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**

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Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

MICHAEL J. BOND, CHAIR

Claims with unfavorable recommendations: (Cont'd)

- 12-R-1468 (24) Claim of **II Sun Palmer, through her attorney, The Law Offices of Betty Nguyen Davis (DOA/NA)**, for bodily injury alleged to have been sustained from a fall on an escalator on September 3, 2011 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEARS; 0 NAYS
- 12-R-1469 (25) Claim of **Brian McIntyre and Donna Fuller, through their attorney, Jonathan W. Johnson, LLC (DOA/NA)**, for bodily injury alleged to have been sustained from a mountain bike incident on September 17, 2011 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEARS; 0 NAYS
- 12-R-1470 (26) Claim of **Janet H. Shepherd (DPW/11)**, for property damage alleged to have been sustained from a collision with a trash receptacle on September 21, 2011 at 3558 Stone Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEARS; 0 NAYS
- 12-R-1471 (27) Claim of **George H. Adams (DPW/11)**, for property damage alleged to have been sustained from a collision with a trash receptacle on October 5, 2011 at 1587 Childress Drive.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEARS; 0 NAYS
- 12-R-1472 (28) Claim of **Hampton Webb, a minor, through his attorney, Dickinson & Associates (DOA/NA)**, for bodily injury alleged to have been sustained from an escalator incident on October 10, 2011 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEARS; 0 NAYS
- 12-R-1473 (29) Claim of **Betty Jean Stephens (DOA/NA)**, for bodily injury alleged to have been sustained from a fall on the train on November 11, 2011 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEARS; 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 unfavorable recommendations: (Cont'd)

- 12-R-1474 (30) Claim of **Michael Calli, through his attorney, William Dixon James (NA/09)**, for personal injury sustained as a result of driving over a sewer cleanout on December 14, 2011 at 1250 Menlo Drive.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-1475 (31) Claim of **Autumn Baskin (DPW/10)**, for property damage alleged to have been sustained during bulk trash collection on December 19, 2011 at 1751 Stokes Avenue.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-1476 (32) Claim of **Stephen Blacklock, through his attorney, Reynolds E. Pitts, Esq. Morgan & Morgan (DOA/NA)**, for bodily injury alleged to have been sustained from a slip-and-fall incident on January 2, 2012 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-1477 (33) Claim of **Coventry Health Care, Inc., as subrogee of Naomi E. Adkins, through First Recovery Group (DOA/NA)**, for bodily injury alleged to have been sustained from an incident on March 5, 2012 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-1478 (34) Claim of **Katreen D. Thomas (DOA/NA)**, for bodily injury alleged to have been sustained from a fall on a train on March 7, 2012 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**

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Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

MICHAEL J. BOND, CHAIR

Claims with unfavorable recommendations: (Cont'd)

- 12-R-1479 (35) Claim of **Sylvia Smith, through her attorney, Robert A. Demetz, Jr., Morgan & Morgan (DOA/NA)**, for bodily injury alleged to have been sustained from a slip-and-fall incident on March 13, 2012 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-1480 (36) Claim of **Sylvia Cecil, through her attorney, Kevin Sobel, Esq., Kanner & Pinaluga, PA (DOA/NA)**, for bodily injury alleged to have been sustained from a fall on an escalator on March 21, 2012 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-1481 (37) Claim of **Donald Spina, through his attorney, Sherrie Brady, the Cochran Firm (DOA/NA)**, for bodily injury alleged to have been sustained from a fall on March 23, 2012 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-1482 (38) Claim of **Noelia Vasquez, through her attorney, Blick Law Firm (DOA/NA)**, for bodily injury alleged to have been sustained from an incident on March 28, 2012 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-1483 (39) Claim of **George Robinson, through his attorney, the Farnham Law Firm (NA/NA)**, for property damage alleged to have been sustained from driving over a metal plate on March 30, 2012 at Central Avenue near Hamilton Avenue, East Point, Georgia.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**

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Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

MICHAEL J. BOND, CHAIR

Claims with unfavorable recommendations: (Cont'd)

- 12-R-1484 (40) Claim of **Christopher B. Valentine, through his attorney, Ketan Patel, Esq., Foy and Associates (DOA/NA)**, for bodily injury alleged to have been sustained from an elevator incident on April 13, 2012 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEARS; 0 NAYS
- 12-R-1485 (41) Claim of **Liberty Insurance Corporation, as subrogee of Dunbar Armoured, Inc., on behalf of Christopher B. Valentine (DOA/NA)**, for bodily injury alleged to have been sustained from an elevator incident on April 13, 2012 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEARS; 0 NAYS
- 12-R-1486 (42) Claim of **Mohammad Maghribi, through his attorney, Cohen and Sinowski, P.C. (DOA/NA)**, for bodily injury alleged to have been sustained when he was struck by a Segway on April 23, 2012 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEARS; 0 NAYS
- 12-R-1487 (43) Claim of **Elizabeth Cabrera, through her attorney, Law Office of Hung Q. Nguyen & Associates, LLC. (DOA/NA)**, for bodily injury alleged to have been sustained from a fall on an escalator on May 20, 2012 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEARS; 0 NAYS
- 12-R-1488 (44) Claim of **Dede Lindley, through her attorney, Deming & Hoyt, P.C. (DOA/NA)**, for bodily injury alleged to have been sustained from an escalator incident on June 2, 2012 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEARS; 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 unfavorable recommendations: (Cont'd)

- 12-R-1489 (45) Claim of **Sharon L. Lambert (DOA/NA)**, for bodily injury alleged to have been sustained from a fall on the train on June 11, 2012 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-1490 (46) Claim of **Billie Kavadas (DOA/NA)**, for bodily injury alleged to have been sustained from a train incident on June 18, 2012 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-1491 (47) Claim of **Shirley A. Head, through her attorney, Accident Attorneys, of Monge & Associates (DOA/NA)**, for bodily injury alleged to have been sustained from a slip-and-fall incident on July 6, 2012 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-1492 (48) Claim of **Bray Buckley (DWM/NA)**, for property damage allegedly sustained as a result of a water main replacement on July 19, 2012 at 4660 Hitching Post Trail.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-1493 (49) Claim of **Gloria Relaford, through her attorney, Justin D. Miller, Morgan & Morgan (DOA/NA)**, for bodily injury alleged to have been sustained from a slip-and-fall incident on August 4, 2012 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-1494 (50) Claim of **David L. Stills (APD/09)**, for damage alleged to have been sustained as a result of lost or mishandled property at 3493 Donald Lee Hollowell Parkway, NW.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**

**CONSENT AGENDA
SECTION II**

11/5/12 Action Minutes

Council President Ceasar C. Mitchell 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 (23) as follows, were Referred to the appropriate Committees by a single roll call vote of 12 yeas (Councilmembers Smith, Hall, Young, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd and Bond); 0 nays.

12-O-1425 (1) An Ordinance by **Community Development/Human Resources**
CDP-12-13 **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 **77 East Andrews Drive, NW (tract**
three) from the “Medium Density Residential” Land Use
Designation to the “Low Density Commercial” Land Use
Designation (Z-12-28); and for other purposes.

NPU-B

Council District 8

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN
RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 12
YEAS; 0 NAYS

12-O-1426 (2) An Ordinance by **Community Development/Human Resources**
CDP-12-14 **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 **77 East Andrews Drive, NW (tract**
one) from the “Low Density Residential” and the “Medium Density
Residential” Land Use Designations to the “Low Density
Commercial” Land Use Designation (Z-12-29); and for other
purposes.

NPU-B

Council District 8

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN
RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 12
YEAS; 0 NAYS

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CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

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

12-O-1430 (6)
CDP-12-18 An Ordinance by **Community Development/Human Resources Committee** to amend the Land Use Element of the 2011 Atlanta Comprehensive Development Plan (CDP) so as to re-designate properties that are located at **1072 Cascade Avenue, 1-22 Belmonte Court, 24-90 Belmonte Circle and 92-176 Belmonte Drive** from the “Single Family Residential” Land Use Designation to the “Low Density Residential” Land Use Designation (Z-12-15); and for other purposes.

NPU-S

Council District 4

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

12-O-1431 (7)
CDP-12-19 An Ordinance by **Community Development/Human Resources Committee** to amend the Land Use Element of the 2011 Atlanta Comprehensive Development Plan (CDP) so as to re-designate property that is located at **792 Moreland Avenue** from the “Low Density Residential” Land Use Designation to the “Low Density Commercial” Land Use Designation (Z-12-31); and for other purposes.

NPU-W

Council District 5

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

12-O-1432 (8)
CDP-12-20 An Ordinance by **Community Development/Human Resources Committee** to amend the Land Use Element of the 2011 Atlanta Comprehensive Development Plan (CDP) so as to re-designate property that is located at **908, 922, 930 Canterbury Road, NE** from the “Low Density Residential” Land Use Designation to the “Medium Density Residential” Land Use Designation (Z-12-38); and for other purposes.

NPU-B

Council District 7

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

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Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

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

- 12-O-1508 (9) An Ordinance by **Community Development/Human Resources Committee** amending the 2012-2013 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations account the amount of \$231,661.00 to increase the budget amount authorized by the U.S. Department of Housing and Urban Development ("HUD") for the City of Atlanta's Section 8 Moderate Rehabilitation Program for Vanira Village Apartments; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 12-O-1509 (10) An Ordinance by **Community Development/Human Resources Committee** authorizing the Mayor or his designee, on behalf of the City of Atlanta, to accept a grant in the amount of \$1,100,000.00 from the U. S. Department of Labor Employment and Training Administration, and amending the 2013 (Job Training Grant Fund) Budget, Atlanta Workforce Development Agency, by adding to anticipations and appropriations in the amount of \$1,100,000.00 in the U.S. Department of Labor Employment and Training Administration YouthBuild Grants Fund to oversee the provision of education, occupational skills training, and employment services to disadvantaged youth in their communities while performing meaningful work and services to their communities; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 12-O-1523 (11) An Ordinance by **Community Development/Human Resources Committee** correcting Ordinance 12-O-0636, adopted by City Council on June 4, 2012 and approved as per City Charter Section 2-403 on June 13, 2012; Ordinance 12-O-0638, adopted by City Council on June 4, 2012 and approved as per City Charter Section 2-403 on June 13, 2012; and Ordinance 12-0712, adopted by City Council on July 2, 2012 and approved as per City Charter Section 2-403 on July 11, 2012; in order to correct project allocations and position numbers for several of the City's 2012 HUD Grant Programs; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

MICHAEL J. BOND, CHAIR

- 12-O-1504 (12) An Ordinance by **Public Safety and Legal Administration Committee** to amend the 2013 (Intergovernmental Grant Fund) Budget, Department of Police (“Department”), by adding to Anticipations and Appropriations in the amount of \$93,200.00 from a Grant Award from the Governor’s Office of Highway Safety, and \$139,800.00 in matching funds from the City of Atlanta, Georgia, totaling \$233,000.00; to reduce the Department’s costs of Traffic Law Enforcement, and to promote safety on the roadways; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 12-O-1505 (13) 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 \$2,841,075.00 for the 2012 Community Oriented Policing Services Hiring Program (“CHP 2012”) Award from the United States Department of Justice Community Oriented Policing Services (“COPS”) Office; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 12-O-1506 (14) An Ordinance by **Public Safety and Legal Administration Committee** authorizing the Mayor or his designee to accept a Grant from the Homeland Security Grant Program/State Homeland Security Grant Program from the Department of Homeland Security (DHS) for the purpose of providing maintenance of specialized technical rescue equipment on behalf of the Department of Fire Rescue, and to amend the 2012 (Intergovernmental Grant Fund) Department of Fire Budget, by adding to anticipations and appropriations in the amount of \$20,000.00; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

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CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

MICHAEL J. BOND, CHAIR

- 12-O-1507 (15) An Ordinance by **Public Safety and Legal Administration Committee** amending the 2012 (Intergovernmental Grant Fund Budget), by adding to anticipations and appropriations in the amount of \$163,400.00 on behalf of the Atlanta Fire Rescue Department for the purpose of funding the Car Seat Fitting Station Program developed by the Atlanta Fire Rescue Department; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

FINANCE/EXECUTIVE COMMITTEE

FELICIA A. MOORE, CHAIR

- 12-O-1515 (16) An Ordinance by **Finance/Executive Committee** authorizing the City of Atlanta to remit payment of all outstanding invoices to ATC Associates, Inc./C.E.R.M., Inc., Joint Venture (ATC/CERM) for Geotechnical and Environmental Engineering Testing and Investigation Services for the Sanitary Sewer Evaluation Services Rehabilitation Program in the amount not to exceed \$16,513.02; to waive the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code, of the City of Atlanta Code of Ordinances; all services performed shall be charged to and paid from the listed Fund, Department Organization and Account and PATEO Numbers; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 12-O-1516 (17) An Ordinance by **Finance/Executive Committee** authorizing the City of Atlanta to remit payment of all outstanding invoices to United Consulting for Geotechnical and Environmental Engineering Testing and Investigation Services for the Sanitary Sewer Evaluation Services Rehabilitation Program in the amount not to exceed \$383.79; to waive the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code, of the City of Atlanta Code of Ordinances; all services performed shall be charged to and paid from the listed Fund, Department Organization and Account and PATEO Numbers; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, CHAIR

12-O-1525 (18) An Ordinance by **Finance/Executive Committee** authorizing the Mayor to execute Amendment No. 1 to Lease Agreement FC-7708-04 for Public Pay Phone Services at Hartsfield-Jackson Atlanta International Airport with Kellee Communications to provide, and the City to accept, Public Pay Phone Services under the terms and conditions set forth in Agreement FC-7708-04 beginning November 6, 2012 and continuing on a month-to-month basis, but not to extend beyond April 30, 2013 and eliminating the minimum annual guarantee set forth in the Agreement; authorizing the City of Atlanta to waive the Competitive Source Selection requirements contained in Section 2-1187 of the Code of Ordinances of the City of Atlanta, Georgia as well as any other conflicting Code Provisions; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

12-O-1526 (19) An Ordinance by **Finance/Executive Committee** authorizing the City of Atlanta to pay Rockdale Pipeline/Integral Municipal Services, Inc., for work performed, pursuant to an expired Agreement, FC-30070000444 Annual Contract for Pipe Laying Services in an amount of \$1,217,887.81; to waive the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code, of the City of Atlanta Code of Ordinances for these purposes; that all contracted work to be charged to and paid from the listed Fund, Department Organization and Account and PATEO Numbers; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

12-O-1495 (20) An Ordinance by **City Utilities Committee** authorizing the abandonment of certain sewer easements on certain property owned by Georgia Power Company and located in Land Lot 53 of the 17th and Land Lot 17 of the 14th District of Fulton County; acknowledgement and authorizing the acceptance of new Easements and Storm and Sanitary Sewer Facilities constructed and dedicated by Georgia Power Company upon the final approval of the same; authorizing the acceptance of a certain drainage easement from Georgia Power Company; authorizing the Mayor or his designee to execute any necessary documents and instruments; and for other purposes.

REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

12-O-1496 (21) An Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY 2013 (Water and Wastewater Renewal and Extension Fund) (5052), the (1999 Water and Wastewater Bond Fund) (5056), the (2001 Water and Wastewater Bond Fund (5057) the (2004 Water and Wastewater Fund (5058) and the (2009A Water and Wastewater Bond Fund) (5066) in the amount of \$43,563,082.57 to transfer funds from the Water and Wastewater Renewal and Extension Fund) (5052), the (1999 Water and Wastewater Bond Fund (5056) the (2001 Water and Wastewater Bond Fund) (5057) the (2004 Water and Wastewater Fund) (5058) and the (2009A Water and Wastewater Bond Fund) (5066) Project Reserves for Appropriations and add to appropriations for the Peachtree Basin Capacity Relief Project; and for other purposes.

REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

12-O-1497 (22) An Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY 2013 (2009A Water and Wastewater Bond Fund-5066) Budget in the amount of \$7,000,000.00 to transfer funds from the Capital Projects Reserve (2009A Water and Wastewater Fund-5066) for Appropriations and to add to appropriation funds for Custer Ave. CSO Capacity Relief and Sewer Group 2 Rehab Capital Projects; and for other purposes.

REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

CITY UTILITIES COMMITTEE (CONT'D)

NATALYN M. ARCHIBONG, CHAIR

- 12-O-1498 (23) An Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY 2013 (Water and Wastewater Renewal and Extension Fund-5052) Budget in the amount of \$3,203,000.00 to transfer funds from the Water and Wastewater Renewal and Extension Fund Capital Project Reserve for Appropriations and to add to appropriations for East Atlanta Water Main Replacement and Custer Ave. CSO Capacity Relief Capital Projects; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

COMMITTEE REPORTS

11/5/12 Action Minutes

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS

COMMITTEE ON COUNCIL (1) YOLANDA ADREAN, CHAIR

Attendance at the November 05 2012 meeting of the Committee on Council was as follows:

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

Absent: Councilmembers Archibong and Hall

COMMUNICATIONS

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

12-C-1392 (1) A Communication **from Jim Daws, President, International Association of Fire Fighters, Local 134, to Council President Ceasar C. Mitchell** submitting Captain Silas Kevil as their 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 and Legal Administration Committee 10/30/12)**
CONFIRMED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

12-C-1409 (2) A Communication by **Mayor Kasim Reed** appointing Loretta Young Walker to serve as an at-large member of the Atlanta Housing Authority 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. **(Favorable by Community Development/Human Resources Committee 10/30/12)**
CONFIRMED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Pro Tempore Kwanza Hall Presided

12-C-1410 (3) A Communication by **Mayor Kasim Reed** appointing Mr. Patrick L. Labat to the position of Corrections Chief for the City of Atlanta. **(Favorable by Public Safety and Legal Administration Committee 10/30/12)**
CONFIRMED BY A ROLL CALL VOTE OF 12 YEAS;
(Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Bottoms, Sheperd and Bond); 0 NAYS

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (2)
YOLANDA ADREAN, CHAIR

ORDINANCE FOR FIRST READING

12-O-1536 (1) An Ordinance by **Committee on Council** establishing the salaries for the Mayor, Council President and City Council Members for the terms of office beginning January 2014; and for other purposes.
REFERRED TO COMMITTEE ON COUNCIL BY A ROLL CALL VOTE OF 13 YEAS; (Councilmembers Smith, Hall, Young, Winslow, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond and Watson); **0 NAYS**

RESOLUTION

12-R-1537 (2) A Resolution by **Committee on Council** to establish (fix) qualifying fees, dates and times for candidates to qualify to fill the offices of Mayor, Council President, Council Members and Board of Education Members in the November 5, 2013 Municipal General Election for the City of Atlanta, Georgia; and for other purposes.
ADOPTED BY A ROLL CALL VOTE OF 13 YEAS; (Councilmembers Smith, Hall, Young, Winslow, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond and Watson); **0 NAYS**

11/5/12 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 30 2012 meeting of the Community Development/Human Resources Committee was as follows:

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

Absent: None

RESOLUTION

12-R-1510 (1) A **Substitute** Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to submit to the U.S. Department of Housing and Urban Development the City of Atlanta's 2013 Annual Action Plan for the 2010-2014 Consolidated Plan to include applications for the 2013 Community Development Block Grant (CDBG) Program, 2013 Emergency Solutions Grant (ESG) Program, 2013 HOME Investment Partnership (HOME) Program, and the 2013 Housing Opportunities for Persons with AIDS (HOPWA) Program; and for other purposes.

Note: Councilmember Young stated for the record his abstention to Resolution 12-R-1510 was due to a potential conflict of interest (wife works in the Mayor's Office that handles the programs).

ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 12 YEAS;
(Councilmembers Smith, Hall, Winslow, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond and Watson; 0 NAYS; 1
ABSTENTION; (Councilmember Young)

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 30 2012 meeting of the Public Safety and Legal Administration Committee was as follows:

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

Absent: None

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

11/5/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (1)
ALEX WAN, CHAIR

Attendance at the October 31 2012 meeting of the Zoning Committee was as follows:

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

Absent: Councilmembers Shook, Young and Watson

SUMMARY REPORT ITEMS

Ordinances; (1) through (02) as follows, were Adopted as Amended 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-1153 (1)
U-12-18 An **Amended Ordinance by Zoning Committee** granting a Special Use Permit for a Community Swim and Tennis Club (Parks; playgrounds, stadiums, baseball or football fields, golf course, sports arena and community centers) pursuant to Section 16-05.005 (l)(k) of the Zoning Ordinance, property located at **1044 Roxboro Drive, N.E.** fronting approximately 50 feet on Roxboro Drive at its termination on the west, and approximately 198 feet west of the intersection of Roxboro Drive and Lee Court. Dept.: varies; Area: approximately 6.26 acres; Land Lot 8, 17th District, Fulton County, Georgia. Owner: Roxboro Valley Association; Applicant: Sean T. Cash; NPU-B Council District 7.
ADOPTED AS AMENDED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

12-O-1036 (2)
Z-12-25 An **Amended Ordinance by Zoning Committee** to rezone from the I-1 (Light Industrial) District to the O-I-C (Office Institutional-Conditional) District, property located at **1524 Hannah Street, S.E.** fronting approximately 60 feet on the east side of Hannah Street beginning 150 feet from the southeast corner of Anne Street. Depth: approximately 75 feet; Acres: approximately 0.226 feet; Land Lot 57, 14th District, Fulton County, Georgia. Owner The Ron Clark Academy; Applicant: Bonnie Dean; NPU-Y Council District 1.
ADOPTED AS AMENDED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

11/5/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (2)
ALEX WAN, CHAIR

SUMMARY REPORT ITEMS (CONT'D)

12-O-1262 (3) An Ordinance by **Zoning Committee** to rezone from the RG-3-C
Z-12-32 (Residential General-Sector 3-Conditional) to the RG-3 (Residential
General-Sector 3) District, property located at **2760 Lenox Road,
N.E.** 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 acres; Land Lot 7, 17th
District, Fulton County, Georgia. Owner: Marlene Blaise;
Applicant: Winston R. Smith (Multifamily Services & Solutions,
LLC); NPU-B Council District 7.
**FILED BY A ROLL CALL VOTE OF 14 YEARS; (Councilmembers
Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean,
Moore, Martin, Bottoms, Sheperd, Watson and Willis); 0 NAYS**

ORDINANCES FOR FIRST READING

**Ordinances For First Reading ; (1) through (08) as follows, were Referred to the
appropriate Committees by a single roll call vote of 13 yeas (Councilmembers
Smith, Hall, Young, Winslow, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd
Watson and Willis); 1 nay (Councilmember Archibong)**

12-O-1433 (1) An Ordinance by **Zoning Committee** to rezone from the R-3
Z-12-36 (Single-Family Residential) District to the MR-3 (Multi-Family
Residential) District, property located at **3519 Roxboro Road, NE,**
fronting approximately 46 feet on the east side of Roxboro Road
beginning 24 feet from the northeast corner of Kingsboro Road.

Depth: Approximately 187 Feet
Area: Approximately 0.50 Acre
Land Lot: 9, 17th District, Fulton County, Georgia
Owner: Mark G. Millsaps
Applicant: Rex K. Bray
NPU-B Council District 7

**REFERRED TO ZONING REVIEW BOARD AND ZONING
COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 1 NAY**

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (3)
ALEX WAN, CHAIR

ORDINANCES FOR FIRST READING (CONT'D)

12-O-1434 (2)
Z-12-37 An Ordinance by **Zoning Committee** to rezone from the I-2 (Heavy Industrial) District/BeltLine Overlay District to the MRC-1 (Mixed Residential Commercial) District/BeltLine Overlay District, property located at **791 Ralph McGill Boulevard, NE**, fronting approximately 50 feet on the southeast side of Ralph McGill Boulevard beginning 50 feet from the southwest corner of the area designated as the BeltLine.

Depth: Varies
Area: Approximately 0.172 Acre
Land Lot: 18, 14th District, Fulton County, Georgia
Owner: Carie A. Davis and Russell J. Kroll
Applicant: Carie A. Davis and Russell J. Kroll
NPU-M Council District 2

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 1 NAY

12-O-1435 (3)
Z-12-38 An Ordinance by **Zoning Committee** to rezone from the PD-H (Planned-Development-Housing) District to the PD-H (Planned-Development-Housing) District, for a change of conditions, property located at **908-930 Canterbury Lane at Canterbury Road**, fronting approximately 375 feet on the north side of Canterbury Road beginning approximately 7.41 feet from the northwest corner of Lenox Road.

Depth: Varies
Area: Approximately 1.342 Acres
Land Lot: 9, 17th District, Fulton County, Georgia
Owner: Lenox Canterbury II, LLC
Applicant: Rex K. Bray
NPU-B Council District 7

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 1 NAY

11/5/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (4)
ALEX WAN, CHAIR

ORDINANCES FOR FIRST READING (CONT'D)

12-O-1436 (4)
U-12-20 An Ordinance by **Zoning Committee** granting a Special Use Permit for a Nightclub pursuant to Section 16-181.007 (3)(a) of the Zoning Ordinance property located at **34 Irby Avenue, NW**, fronting approximately 32 feet on the north side of Irby Avenue beginning approximately 64 feet from the northeast corner of Irby Avenue and Early Street.

Depth: Varies
Area: Approximately 0.273 Acre
Land Lot: 99, 17th District, Fulton County, Georgia
Owner: First Security and Exchange Partnership, LLP
Applicant: DeWayne N. Martin
NPU-B Council District 8

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 1 NAY

12-O-1437 (5)
U-12-22 An Ordinance by **Zoning Committee** granting a Special Use Permit for a Personal Care Home pursuant to Section 16-06.005 (l)(g) of the Zoning Ordinance property located at **606 Flat Shoals Avenue, SE**, fronting approximately 166 feet on the east side of Flat Shoals Avenue and approximately 225 feet on the south side of Newton Avenue at the intersection of Flat Shoals Avenue and Newton Avenue.

Depth: Varies
Area: Approximately 0.857 Acre
Land Lot: 176, 15th District, DeKalb County, Georgia
Owner: Willie Mae Johnson
Applicant: Kimberly Castling and Erika Brown
NPU-W Council District 5

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 1 NAY

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (5)
ALEX WAN, CHAIR

ORDINANCES FOR FIRST READING (CONT'D)

12-O-1438 (6) An Ordinance by **Zoning Committee** granting a Special Use
U-12-23 Permit for a Community Center pursuant to Section 16-05.005
 (l)(k) of the Zoning Ordinance property located at **130 West Paces
Ferry Road, NW**, fronting approximately 1,024.74 feet on the
southwest side of West Paces Ferry Road at the southwest
intersection of Slaton Drive.

Depth: Approximately 1,714 Feet
Area: Approximately 33.0 Acres
Land Lots: 99 and 114, 17th District, Fulton County,
 Georgia
Owner: Atlanta Historical Society, Inc.
Applicant: Atlanta History Center
NPU-B Council District 8

**REFERRED TO ZONING REVIEW BOARD AND ZONING
COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 1 NAY**

12-O-1439 (7) An Ordinance by **Zoning Committee** granting a Special Use
U-12-24 Permit for a Processing Facility pursuant to Section 16-17.005
 (l)(w) of the Zoning Ordinance property located at **2420 Fisher
Avenue, NW**, fronting approximately 10 feet at the easterly
termination of Marietta Road, NW.

Depth: Varies
Area: Approximately 39.06 Acres
Land Lots: 243 and 254, 17th District, Fulton County,
 Georgia
Owner: Georgia Waste Systems, Inc.
Applicant: Gene Barnes
NPU-D Council District 9

**REFERRED TO ZONING REVIEW BOARD AND ZONING
COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 1 NAY**

12-O-1440 (8) An Ordinance by **Zoning Committee** to amend Ordinance 95-
U-73-51 O-0546 (U-73-51) as adopted by the City Council on May 1,
(TR-12-002) 1995 and approved by the Mayor on May 8, 1995 for the purposes
of approving a Transfer of Ownership for a Special Use Permit for
a Day Care Center for property located at **690 Bolton Road, NW**;
and for other purposes.

**REFERRED TO ZONING COMMITTEE BY A ROLL CALL VOTE
OF 13 YEAS; 1 NAY**

11/5/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (1)

C. T. MARTIN, CHAIR

Attendance at the October 31 2012 meeting of the Transportation Committee was as follows:

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

Absent: Councilmember Bond

RESOLUTIONS

12-R-1411 (1) A Resolution by **Councilmembers Felicia A. Moore, Michael J. 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.

FILED BY A ROLL CALL VOTE OF 10 YEAS; *(Councilmembers Smith, Hall, Winslow, Wan, Adrean, Martin, Bottoms, Sheperd, Watson and Willis);* **4 NAYS** *(Councilmembers Young, Archibong, Shook and Moore)*

12-R-1513 (2) A Resolution by **Transportation Committee** authorizing the Aviation General Manager to enter into revocable Concessionaire Space Permit Agreements at Hartsfield-Jackson Atlanta International Airport; and for other purposes.

The original vote of Resolution 12-R-1513 was 13 yeas; *(Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Adrean, Moore, Martin, Bottoms, Sheperd, Watson and Willis);* **1 Nay** *(Councilmember Bond).* **However, Councilmember Bottoms made a Motion to Reconsider the resolution. It was properly Seconded and CARRIED by a roll call vote of 13 yeas;** *(Councilmembers Hall, Young, Winslow, Archibong, Wan, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis);* **1 Nay** *(Councilmember Smith).* **The item was back before Council. Subsequently, the Motion to Adopt was Moved and then 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, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis);* **0 NAYS**

11/5/12 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 31 2012 meeting of the Finance/Executive Committee was as follows:

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

Absent: Councilmember Bond

REPORTS

Reports; (1) through (03) as follows, were Filed 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-TR-1532 (1) Report of the **Chief Financial Officer** of the Transfer of Appropriations from one Line Item to another Line Item in various Funds as approved under Section 6-304(b) of the Charter of the City of Atlanta.

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

12-TR-1533 (2) Report of the **Chief Financial Officer** of the Transfer of Appropriations from one Line Item to another Line Item in various Funds as approved under Section 6-304(b) of the Charter of the City of Atlanta.

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

12-TR-1534 (3) Report of the **Chief Financial Officer** of the Transfer of Appropriations from one Line Item to another Line Item in various Funds as approved under Section 6-304(b) of the Charter of the City of Atlanta.

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

11/5/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

COMMITTEE REPORTS (CONT'D)

CITY UTILITIES COMMITTEE (1)

YOLANDA ADREAN, ACTING-CHAIR

Attendance at the October 30, 2012 meeting of the City Utilities Committee was as follows:

Present: Councilmembers Adrean (Acting-Chair), Watson, Martin and Smith

Absent: Councilmembers Archibong and Willis

RESOLUTIONS

12-R-1412 (1) 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 \$797,100.00; all contracted work shall be charged to and paid from the listed Fund, Department Organization and Account Number and PTAE0 Numbers; and for other purposes.

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

12-R-1503 (2) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into an agreement with Camken Consulting, Inc. for FC-5665, Sewer Rehabilitation Contract B, on behalf of the Department of Watershed Management, in an amount not to exceed \$1,446,552.50; all contracted work will be charged to and paid from the listed Fund, Department Organization and Account and PTAE0 Numbers; and for other purposes.

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

PERSONAL PAPERS

11/5/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

PERSONAL PAPERS

RESOLUTIONS/ADOPTED

Council President Ceasar C. Mitchell Presided

12-R-1594 (1) A Resolution by **Councilmembers Kwanza Hall, H. Lamar Willis, Felicia A. Moore, Ivory Lee Young, Jr., Howard Shook, Cleta Winslow, Carla Smith and Yolanda Adrean** requesting that the Hellenic Republic reconsider its recent decision to close the Greek Consulate in the City of Atlanta.

Councilmember Hall made a Motion to Adopt Resolution 12-R-1594. It was properly Seconded and CARRIED by a roll call vote of 10 yeas; 0 nays.

ADOPTED BY A ROLL CALL VOTE OF 10 YEAS *(Councilmembers Smith, Hall, Young, Winslow, Wan, Shook, Adrean, Moore, Watson and Willis);* **0 NAYS**

12-R-1595 (2) A Resolution by **Councilmembers Felicia A. Moore, Michael Julian Bond, Joyce M. Sheperd, C. T. Martin, Alex Wan, Howard Shook, Ivory Lee Young, Jr., Carla Smith, Yolanda Adrean, Keisha Bottoms, Kwanza Hall and Cleta Winslow** welcoming the Provincial Legislative Delegation from Kwazulu Natal Province of South Africa, to the City of Atlanta, Georgia in an effort to broaden the exchange of ideas which will be mutually beneficial for the citizens of Kwazulu Natal Province, South Africa and the City of Atlanta; 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 14YEAS *(Councilmembers Smith, Hall, Young, Winslow, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis);* **0 NAYS**

RESOLUTIONS/REFERRED

12-R-1596 (1) A Resolution by **Councilmember C. T. Martin** authorizing the continuation of re-employment of Gloria Peters as a Plan Review Specialist, Senior in the Department of Planning and Community Development for the Office of Buildings, pursuant to section 3-505 (c) of the Charter of the City of Atlanta, Georgia; for a period of not more than 120 days; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

11/5/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

PERSONAL PAPERS (CONT'D)

RESOLUTIONS/REFERRED (CONT'D)

- 12-R-1597 (2) A Resolution by **Councilmembers Natalyn Mosby Archibong and C. T. Martin** 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-1601 (3) A Resolution by **Councilmembers Keisha Lance Bottoms and Lamar Willis** authorizing the Mayor, or his designee, to execute a contract with S.D. & C., Inc. for FC-6159, Danforth Road Sidewalk Project, on behalf of the Department of Public Works, in an amount not to exceed One Million One Hundred Seventy Four Thousand Two Hundred Twenty One Dollars and Thirty Cents (\$1,174,221.30); all contracted work shall be charged to and paid from various Fund, Department, Organization and Account Numbers; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION
- 12-R-1602 (4) A Resolution by **Councilmembers Keisha Lance Bottoms and Lamar Willis** 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 the Danforth Road Sidewalk Project from Cascade Road to New Hope Road in an amount not to exceed One Hundred Fourteen Thousand Five Hundred Two Dollars and No Cents (\$114,502.00); with all contracted work charged to and paid from the Account Segment/PTAEO Numbers listed; and for other purposes
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

11/5/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

PERSONAL PAPERS (CONT'D)

RESOLUTIONS/REFERRED (CONT'D)

- 12-R-1610 (5) A Resolution by **Councilmembers Ivory Lee Young, Jr. and Michael Julian Bond** authorizing the Mayor, or his designee, to execute a contract with Tople Construction for FC-5821, Simpson Road Pedestrian Improvements Project, Project Number CSSTP-0006-00(573), P.I. No. 0006573, on behalf of the Department of Public Works, in an amount not to exceed One Million Two Hundred Ninety Five Thousand Four Hundred Thirty Five Dollars and Fifteen Cents (\$1,295,435.15) all contracted work shall be charged to and paid from various Fund, Department, Organization and Account Numbers; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION
- 12-R-1612 (6) A Resolution by **Councilmember Carla Smith** authorizing the Mayor to apply for a Livable Centers Initiative (LCI) Grant from the Atlanta Regional Commission (ARC) in an amount not to exceed One Hundred and Twenty Thousand Dollars and No Cents (\$120,000) in order to conduct an LCI Study for the stadium neighborhoods; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION
- 12-R-1616 (7) A Resolution by **Councilmembers Aaron Watson and C. T. Martin** authorizing the Mayor or his designee to enter into a contract amendment with Southeast Energy Assistance, Inc. for the Care and Conserve Program in an amount not to exceed Three Hundred Thousand Dollars and No Cents (\$300,000.00); and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION
- 12-R-1617 (8) A Resolution by **Councilmembers Aaron Watson and Carla Smith** authorizing the creation of the Atlanta Property Assessed Clean Energy ("PACE") District; and the establishment of the Clean Energy Atlanta Program (the "PACE Program"); and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

11/5/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

PERSONAL PAPERS (CONT'D)

RESOLUTIONS/REFERRED (CONT'D)

12-R-1618 (9) A Resolution by **Councilmember H. Lamar Willis** authorizing the Mayor or his designee to enter into an amendment to contract No. FC-4877 for Parking Management Services that was entered into with Professional Account Management LLC D/B/A PARKatlanta on July 28, 2009, said contract amendment designed to revise and improve parking program operations with respect to administration of the parking program, to incorporate recent changes to the City's Code of Ordinances related to parking management, to increase program management responsiveness to citizen concerns; and for other purposes.

REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION

12-R-1619 (10) A Resolution by **Councilmembers H. Lamar Willis and Aaron Watson** authorizing the filing of applications with the Federal Transit Administration, an operating administration of the United States Department of Transportation, for Federal transportation assistance as authorized by 49 U.S.C. Chapter 53, Title 23 United States Code, and other Federal Statutes administered by the Federal Transit Administration; and for other purposes.

REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

12-R-1623 (11) A Resolution by **Councilmembers Clea Winslow and C. T. Martin** authorizing the Mayor, or his designee, to execute a contract with Cotangent Technical Services, LLC, for FC-5894, Ralph David Abernathy Streetscape Improvements Project, Project Number STP00-0004-00(461), P.I. Number 0004461, on behalf of the Department of Public Works, in an amount not to exceed Six Hundred Forty Thousand Three Hundred Ninety Five Dollars and No Cents (\$640,395.00); all contracted work shall be charged to and paid from various Fund, Department, Organization, and Account Numbers; and for other purposes.

REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

11/5/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

PERSONAL PAPERS (CONT'D)

RESOLUTIONS/REFERRED (CONT'D)

Council President Ceasar C. Mitchell Presided

- 12-R-1624 (12) A Resolution by **Councilmember Clela Winslow** authorizing the Mayor, on behalf of the City of Atlanta, to apply for, accept and enter into necessary agreements for a Fifteen Thousand Dollars and No Cents (\$15,000.00) Grant from the Georgia Department of Economic Development and Georgia Council for the Arts; and authorizing the City of Atlanta to match the grant in an amount not to exceed Fifteen Thousand Dollars and No Cents (\$15,000.00) from local funds designated from the Atlanta Fire Foundation for the restoration and repair of historic building of Fire Station Number Seven; all funds to be deposited into and paid from accounts listed below; and for other purposes
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

ORDINANCES/REFERRED

- 12-O-1598 (1) An Ordinance by **Councilmember Alex Wan** authorizing the Mayor or his designee to allow for installation of a traffic signal at the intersection of Piedmont Avenue, N.E. and 1845-1895 Piedmont Avenue Driveway; and for other purposes.
REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION
- 12-O-1599 (2) An Ordinance by **Councilmember Alex Wan** to amend Chapter 32D (NC-4 Cheshire Bridge Road North Neighborhood Commercial District) of the 1982 Atlanta Zoning Ordinance, as amended, for the purpose of adding specific regulations regarding the amortization and discontinuance of legal, nonconforming uses within said district; and for other purposes.
REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION
- 12-O-1600 (3) An Ordinance by **Councilmember Alex Wan** to amend Chapter 32D (NC-5 Cheshire Bridge Road South Neighborhood Commercial District) of the 1982 Atlanta Zoning Ordinance, as amended, for the purpose of adding specific regulations regarding the amortization and discontinuance of legal, nonconforming uses within said district; and for other purposes.
REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

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Council President Pro Tempore Kwanza Hall Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

- 12-O-1603 (4) An Ordinance by **Michael Julian Bond** to grant a Special Use Permit for outdoor displays or sales areas (i.e. private outdoor vending) to Abdul El-Amin, for property located at **1685 Memorial Drive, S.E., also known as 225 Clifton Street**; and for other purposes.
REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION
- 12-O-1604 (5) An Ordinance by **Michael Julian Bond** to amend the 1982 Atlanta Zoning Ordinance, as amended, by amending the C-1 (Community Business) Zoning District Regulations so as to remove outdoor sales and displays for greater than 90 days from the list of uses permitted by special use permit and to add outdoor sales and displays of greater than 90 days to the list of permitted principal uses; and for other purposes.
REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION
- 12-O-1605 (6) An Ordinance by **Councilmember Joyce M. Sheperd** amending the 2012 (Community Development Block Grant Fund) Budget by re-appropriating and anticipating funds allocated to Neighborhood Stabilization Program 3 Projects as needed; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION
- 12-O-1606 (7) An Ordinance by **Councilmember Howard Shook** authorizing and adopting a Memorandum of Understanding ("MOU") for the lease of certain property having an address of 72 Marietta Street, Atlanta, Georgia by the Department of Watershed Management ("DWM"); that all amounts authorized under the MOU shall be transferred from [DWM Account Info] to [COA/General Fund Account Info] for the payment of annual rent and operating expenses; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 12-O-1607 (8) An Ordinance by **Councilmember Howard Shook** authorizing the Chief Financial Officer to amend the FY 2013 (Water and Waste Water Revenue Fund) Budget by transferring appropriations in the amount of \$895,535.00 to the FY 2013 Office of Enterprise Assets Management Budget for the purpose of reconciling certain rental and operating expenses incurred by the Department of Watershed Management in connection with its occupancy and use of 72 Marietta Street, Atlanta, Georgia for the period of July 1, 2011 through June 30, 2012; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

11/5/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

- 12-O-1608 (9) An Ordinance by **Councilmember Yolanda Adrean** waiving the sidewalk requirements of Section 15-09.003 of the City of Atlanta Code of Ordinances for subdivision application SD-12-009 (2576 Howell Mill Road, NW) to provide that in lieu of a portion of sidewalk being constructed at the subdivision site, 273 feet will be constructed in existing gaps along the south side of Moores Mill Road, NW from 1088 to 1160 Moores Mill Road; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION
- 12-O-1609 (10) An Ordinance by **Councilmembers Yolanda Adrean and Howard Shook** authorizing the Chief Financial Officer to amend the FY 2012 (Water and Wastewater Revenue Fund) (5051) Budget in the amount of Seven Million Five Hundred Sixty-Five Thousand Three Hundred Two Dollars and Eighty-Nine Cents (\$7,565,302.89) to transfer funds from the Water and Wastewater Revenue Fund (5051) Reserves for appropriations and add to appropriations to the Water and Wastewater Revenue (5051) for refund of certain water services irrigation charges; to refund certain water service charges; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 12-O-1611 (11) An Ordinance by **Councilmember Ivory Lee Young, Jr.** 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 and authorizing the Mayor, on behalf of the City of Atlanta to negotiate for, purchase and develop approximately 0.17 acres of property located at 145 Graves Street from the conservation fund or current land owner for the purpose of expanding the existing Vine City Park; and authorizing payment to Park Pride for costs associated with development of the park where the purchase price, closing costs, due diligence, purchase services, demolition and development costs shall not exceed Seven Hundred Thirty Eight Thousand Five Hundred Dollars and No Cents (\$738,500.00); and directing that all fees and costs be charged to and paid from the Accounts listed below; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

11/5/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

12-O-1613 (12)
CDP-12-21 An Ordinance by **Councilmember Carla Smith** to amend the Land Use Element of the 2011 Atlanta Comprehensive Development Plan (CDP) so as to re-designate property that is located at 1104, 1144 and 1174 Avondale Avenue from the Office/Institution Land Use Designation to the Single Family Residential Land Use Designation and for other purposes.

NPU-W

Council District 1

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

12-O-1614 (13) An Ordinance by **Councilmember Carla Smith** to rezone property having a street address of 1104, 1144 and 1174 Avondale Avenue from the O-I (Office-Institutional) Zoning District to the R-4 (Single-Family Residential) Zoning District.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

12-O-1615 (14) An Ordinance by **Councilmembers Aaron Watson and Carla Smith** to amend the Charter of the City of Atlanta, Georgia, 1996 Ga. Laws p. 4469, et seq., adopted under and by virtue of the authority of the Municipal Home Rule Act of 1965, O.C.G.A. Section 36-35-1, et seq., as amended, by amending Part I (Charter and Related Laws), Subpart A (Charter), Article 1 (Name, Powers and Boundaries), Section 1-102 (Powers) so as to provide for the power to create special districts within which commercial property owners may voluntarily consent to the imposition of a fee, tax or assessment in order to provide for the installation or modification of improvements that reduce energy or water consumption or provide energy from renewable resources; to provide for a lien priority and enforcement mechanism; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

12-O-1620 (15) An Ordinance by **Councilmember H. Lamar Willis** to amend the City of Atlanta Code of Ordinances in order to authorize the implementation and imposition of an excise tax on energy sold or used in manufacturing in the City and to provide for rates, phase-in period, time for imposition, recovery of the excise tax, administrative procedures, audits, allowed expenditures of the proceeds, termination, and an effective date to commence collections; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

11/5/12 Action Minutes

Council President Pro Tempore Kwanza Hall Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

12-O-1621 (16) An Ordinance by **Councilmembers H. Lamar Willis and Aaron Watson** authorizing the purchase of permanent and/or temporary easements in Fulton County Georgia for the purposes of acquiring the right to attach supports for tension support cabling used in connection with the Atlanta Streetcar Project; costs associated with the referenced easements and real property acquisition to be charged to and paid from Fund 2501 (Intergovernmental Grant Fund) Department/Organization 040416 (EXE-Capital Projects) Account 5710001 (Payments to Other Governments) Function/Activity 7550001 (Streetcar) Project 111097 (Streetcar Phase 1); and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

12-O-1622 (17) An Ordinance by **Councilmembers H. Lamar Willis and Aaron Watson** authorizing the purchase of permanent and temporary construction easements and the acquisition of real property located at 23 Park Place in Land Lots 51 and 78 of the 14th District, Fulton County Georgia for the purposes of certain roadway improvements in connection with the Atlanta Streetcar Project; costs associated with the referenced easements and real property acquisition to be charged to and paid from [Fund 2501 (Intergovernmental Grant Fund) Department/Organization 040416 (EXE-Capital Projects) Account 5710001 (Payments to Other Governments) Function/Activity 7550001 (Streetcar)]; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

ADJOURNMENT

11/5/12 Action Minutes

Council President Ceasar C. Mitchell Presided

ADJOURNMENT

There being no further business to discuss, the November 05, 2012 meeting of the Atlanta City Council was adjourned at 3:37 p.m.

ADJOURNMENT ROLL CALL: Council President Ceasar C. Mitchell (1); Councilmembers Smith, Hall, Young, Winslow, Wan, Shook, Adrean, Moore, Watson and Willis (10); the attendance of Councilmembers Martin, Bottoms, Sheperd and Bond were not signified upon the adjourning roll call (4); Councilmember Archibong Early Departure with Council President's acknowledgement (1).