

ATLANTA CITY COUNCIL

ACTION MINUTES

JANUARY 22, 2013

The Atlanta City Council held its Regularly Scheduled Meeting on Tuesday, January 22, 2013, due to the Martin Luther King Jr. Holiday. The Meeting convened at 1:09 p.m. in Atlanta City Hall's Council Chamber. The roll was called and a quorum was declared.

PRESIDER(S): The Honorable Council President Ceasar C. Mitchell presided.

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

The Honorable Carla Smith *1:15	The Honorable Yolanda Adrean
The Honorable Kwanza Hall	The Honorable Felicia A. Moore
The Honorable Ivory Young, Jr. *1:23	The Honorable C. T. Martin
The Honorable Cleta Winslow *1:46	The Honorable Keisha Bottoms
The Honorable Natalyn Archibong	The Honorable Joyce Sheperd
The Honorable Alex Wan	The Honorable Michael Bond *1:41
The Honorable Howard Shook	The Honorable Aaron Watson
	The Honorable H. Lamar Willis *2:35

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

INVOCATION: Reverend Lisa Rhodes, Director of Spelman's College Wisdom Center 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 January 07, 2013** Regular Meeting were true and correct. The Minutes were **FILED** without objection.

ADOPTION OF AGENDA: Councilmember Bond made a **Motion to Adopt** the Agenda. It was Seconded by Councilmember Martin. Following, Councilmember Adrean was recognized and made a **Motion to Amend the Agenda** by moving the Standing Committee on Council to report last. **Accepted as a Friendly Amendment** by Councilmember Bond, the Motion to **Adopt as Amended CARRIED** 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.**

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SUSPEND RULES OF COUNCIL: A **Motion** was made to **Suspend the Rules of Council** to allow Mrs. Mills to continue her public speaking as additional time was given via other public speakers. It was properly Seconded and **CARRIED** by a roll call vote of **10 yeas**; (Councilmembers Smith, Hall, Young, Winslow, Wan, Shook, Adrean, Martin, Bottoms, and Bond); **1 nay**; (Councilmember Moore).

EXECUTIVE SESSION: After the report of the last Standing Committee, **Councilmember Martin** made a **Motion** to enter **Executive Session** to discuss a specific personnel matter regarding Council staff. It was Seconded by Councilmember Shook and **CARRIED** by a unanimous roll call vote of **15 yeas**; (Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis); **0 nays**. Council then entered Executive Session. Returning from Executive Session, **Councilmember Shook** made a **Motion** to re-enter **Regular Session**. It was Seconded by Councilmember Willis and the Motion **CARRIED** by a roll call vote of **11 yeas**; (Councilmembers Smith, Hall, Young, Winslow, Archibong, Shook, Adrean, Moore, Martin, Bond and Willis); **0 nays**.

COMMUNICATIONS

1/22/13 Action Minutes

Council President Ceasar C. Mitchell Presided

COMMUNICATIONS

- 13-C-0113 (1) A Communication by **Municipal Clerk Rhonda Dauphin Johnson** submitting a report of administrative corrections made to previously adopted legislation between the Council's regular meeting dates of January 07, 2013 and January 22, 2013 to the Atlanta City Council in accordance with Section 2-275 of the Atlanta City Code of Ordinances. (12-O-1399)
FILED WITHOUT OBJECTION
- 13-C-0114(2) A Communication from **Mark Massey, Clerk to the Fulton County Commission, to Council President Ceasar C. Mitchell**, submitting the Fulton County Board of Commissioners' appointment of Mr. Paris O. Brown to serve as the Board's representative on the BeltLine Tax Allocation District (TAD) Advisory Committee. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION
- 13-C-0115 (3) A Communication by **City Auditor Leslie Ward** submitting an Audit Report regarding Department of Gift Card Purchases.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 13-C-0116 (4) A Communication from **Chief George N. Turner, Atlanta Police Department, to Council President Ceasar C. Mitchell and Members of Council**, submitting Deputy Chief Ernest Finley as their representative to serve as a member of the Student Safety Council Advisory Group.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION
- 13-C-0162 (5) A Communication by **Councilmember Aaron Watson** reappointing Cora "Cocoa" Dunston to serve as a member of the Atlanta Commission on Women. This reappointment is for a term of two (2) years beginning retroactively to September 06, 2012 and ending September 05, 2014. This reappointment is scheduled to begin on the date of Council confirmation.
REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION

VETOED LEGISLATION

Council President Ceasar C. Mitchell Presided

VETOED LEGISLATION

NONE

UNFINISHED BUSINESS

Council President Ceasar C. Mitchell Presided

UNFINISHED BUSINESS

NONE

**CONSENT AGENDA
SECTION I**

1/22/13 Action Minutes

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA

There was no separate discussion of the following items with the exception of item 12-O-1820 which was removed from the Consent Agenda, and considered separately per Rules for the Conduct of Business of the Council of the City of Atlanta (As Amended), Rule XI; Order of Business, SECTION 11.2; Consent Agenda.

CONSENT AGENDA SECTION I, as follows, received Favorable Recommendations in each Committee and all items were collectively Adopted by a single roll call vote in accordance with Section 11.2 of the Rules of Council as follows: 14 Yeas (*Councilmembers Smith, Hall, Young, Winslow, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis*); **0 Nays.**

SECTION I

ORDINANCES FOR SECOND READING

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

MICHAEL J. BOND, CHAIR

12-O-0774 (1) A **Substitute (#2)** Ordinance by **Public Safety and Legal Administration Committee** amending the City of Atlanta Noise Control Ordinance as set forth in Chapter 74, Article IV, Sec. 74-129 et seq. so that those sections shall read as set forth herein and adding certain new sections to the Noise Control Ordinance; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

12-O-1744 (2) An Ordinance by **Councilmember Michael Julian Bond, Aaron Watson and H. Lamar Willis as Substituted by Public Safety and Legal Administration Committee** to designate a certain area of the Downtown Special Public Interest Zoning District (SPI-1) as a "Temporary Entertainment District" as defined in Atlanta Code of Ordinances, Section 16-28A.010 (12) (L), between the dates of April 1, 2013 through April 15, 2013; and prohibiting free distribution of commercial products during certain areas of the City between April 5, 2013 through April 9, 2013; and applying the City's Cruising Ordinance, Code Section 150-296, to additional areas of the City between April 5, 2013 through April 9, 2013; to waive Code Section 138-25 (6); and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

12-O-1763 (3) An Ordinance by **Public Safety and Legal Administration Committee** amending the 2013 (Intergovernmental Grant Fund) Budget, Department of the Mayor, by adding to Anticipations and Appropriations in the amount of \$85,506.00 for the Weed and Seed Program; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

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Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

MICHAEL J. BOND, CHAIR

12-O-1764 (4) An Ordinance by **Public Safety and Legal Administration Committee** amending the 2013 (Intergovernmental Grant Fund) Budget, Department of the Mayor, by adding to Anticipations and Appropriations in the amount of \$39,494.00 from the State of Georgia Governor's Office of Children and Families and \$25,448.00 from the City of Atlanta Matching Fund for the Intensive Surveillance Officer Program; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

12-O-1820 (5) An Ordinance by **Councilmember Michael J. Bond as Amended by Public Safety and Legal Administration Committee** to require that all fines imposed and collected by the City of Atlanta Municipal Court resulting from violations of the City of Atlanta Scrap Tire Enforcement Ordinance, Chapter 130 (Solid Waste Management), Article II (Scrap Tire Enforcement), Sections 130-28 through 130-36, shall be deposited in the City's Solid Waste Services Revenue Fund, with said fine amounts to be used by the City exclusively for all costs associated with the clean-up of scrap tire dumping sites throughout the City; and for other purposes.

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

**SEE PUBLIC SAFETY AND LEGAL ADMINISTRATION
COMMITTEE REPORT**

FINANCE/EXECUTIVE COMMITTEE

FELICIA A. MOORE, CHAIR

12-O-1776 (6) An Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer to amend the FY 2013 Capital Budget for Various Capital Funds in the aggregate amount of \$214,726,242.75 to transfer appropriations from completed, cancelled, realigned, or postponed projects to Reserves at Hartsfield-Jackson Atlanta International Airport; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, CHAIR

- 13-O-0104 (7) An Ordinance by **Councilmember Cleta Winslow** transferring funds from the Atlanta Fire Rescue Department to the Executive Offices – Office of Enterprise Assets Management to provide funding for Architectural Engineering and Design Services for the Assessment, Programming, Schematic Design, Construction Documents, Design Development and Design Standards for the Construction of Fire Station #7 in an amount not to exceed \$500,000.00; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

RESOLUTIONS

CITY UTILITIES COMMITTEE

HOWARD SHOOK, CHAIR

- 13-R-0004 (1) An **Amended** Resolution by **City Utilities Committee** authorizing the Department of Watershed Management to amend Task Order, Construction Management Support Services for South River Basin - East Point, for FC-4906E, Architectural, Engineering and Design Services, in an amount not to exceed \$401,640.00 to add Construction Management Services for South River Basin Sewer Capacity Relief Projects; all work will be charged to and paid from the listed Fund, Department Organization and Account and PATEO Numbers; and for other purposes.
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE
OF 14 YEAS; 0 NAYS**

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

JOYCE SHEPERD, CHAIR

- 13-R-0005 (2) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor, on behalf of the City of Atlanta, to enter into a Memorandum of Understanding with Morehouse College regarding Baseball Programming at Perkerson Park; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

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

- 13-R-0107 (3) A Resolution by **Councilmembers H. Lamar Willis, Keisha Lance Bottoms, Joyce M. Sheperd, Cleta Winslow, Kwanza Hall, Ivory L. Young, Jr. and Michael J. Bond as Amended by Community Development/Human Resources Committee** to establish the City of Atlanta Downtown Development Technical Advisory Group (DDTAG), for the purpose of creating a Comprehensive Master Plan for Downtown Atlanta, and to research and identify future development opportunities for Downtown Atlanta; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

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

- 13-R-0035 (4) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta and Officer Anwar Bradley in the case of Christopher M. Putman v. City of Atlanta, et al., Civil Action File Number 1:10-cv-03243-RWS, United States District Court, Northern District of Georgia, Atlanta Division, in the amount of \$50,000.00 (the "Settlement Amount"); authorizing payment of the Settlement Amount 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 14 YEAS; 0 NAYS
- 13-R-0036 (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 Frances K. Crawford v. City of Atlanta, Civil Action File No. 2012CV210317, pending in Fulton County Superior Court, in the amount of \$60,000.00 (the "Settlement Amount"); 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 14 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

MICHAEL J. BOND, CHAIR

- 13-R-0101 (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 Denethia McCall v. City of Atlanta, et al., Civil Action File No. 2011-CV-201810, Fulton County Superior Court, in the total amount of \$90,000.00; 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 14 YEAS; 0 NAYS

TRANSPORTATION COMMITTEE

C. T. MARTIN, CHAIR

- 13-R-0006 (7) A Resolution by **Transportation Committee** authorizing the Mayor to execute an Agreement for FC-6149 – Airport Common Use Lounge Third Party Management at the Maynard Holbrook Jackson, Jr. International Terminal at Hartsfield-Jackson Atlanta International Airport; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 13-R-0008 (8) A **Substitute** Resolution by **Transportation Committee** authorizing the Mayor to execute an Agreement and Lease covering approximately 94 square feet of space at Hartsfield-Jackson Atlanta International Airport with Cancer Treatment Centers of America Professional Corporation of Georgia, P.C.; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 13-R-0009 (9) A Resolution by **Transportation Committee** authorizing the Mayor to execute Renewal Agreement No. 2 with M. C. Dean, Inc. for FC-4974, Security Access Control System Operations & Maintenance as amended, on behalf of the Department of Aviation, in an amount not to exceed \$1,183,924.00. All contract 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 14 YEAS; 0 NAYS

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Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

TRANSPORTATION COMMITTEE (CONT'D)

C. T. MARTIN, CHAIR

- 13-R-0010 (10) A Resolution by **Transportation Committee** authorizing the Mayor to execute Renewal Agreement No. 2 and enter into an amendment for additional Security Services with HSS, Inc. for FC-5051, Gate Guard Security Services, on behalf of the Department of Aviation, in an amount not to exceed \$4,138,416.00; 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 14 YEAS; 0 NAYS
- 13-R-0012 (11) A **Substitute** Resolution by **Transportation Committee** authorizing the Mayor to execute a Renewal Agreement with National or Regional Branded Hamburger Concessions Concourse E Agreement (FC-6004007848) with Goodrum Enterprises, Inc., (d/b/a-McDonald's) for Lease Agreement to provide food and beverage services on Concourse E at Hartsfield-Jackson Atlanta International Airport; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 13-R-0014 (12) A **Substitute** Resolution by **Transportation Committee** authorizing the Mayor to execute a Renewal Agreement to Concourse E Food and Beverage (RFP #2) Restaurant and Bar Concessions Agreement (FC-6004007847) with Jackmont Hospitality, Inc. and Global Concessions, Inc., (JV) to provide food and beverage services on Concourse E at Hartsfield-Jackson Atlanta International Airport; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 13-R-0017 (13) A Resolution by **Transportation Committee** authorizing the Mayor to execute Amendment No. 21 to the CPTC Agreement and Lease with AirTran Airways, Inc., covering the leasing of approximately 75 square feet of space in the North Terminal and the permanent surrender to the City of Atlanta of approximately 285 square feet of leased premises which are located on Concourse "D" and approximately 4,033 square feet of ramp area at Hartsfield-Jackson Atlanta International Airport; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

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Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

TRANSPORTATION COMMITTEE (CONT'D)

C. T. MARTIN, CHAIR

- 13-R-0018 (14) A Resolution by **Transportation Committee** authorizing the Mayor, on behalf of the City of Atlanta, to enter into an Intergovernmental Memorandum of Understanding with the Fort Benning Branch of the Public Health Command District in order to obtain Veterinary Care Services for Canines Specializing in Bomb Detection; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 13-R-0019 (15) A Resolution by **Transportation Committee** authorizing the Mayor to execute an Airport Use License Agreement with Aerolitoral, S.A. de C.V., for operations at Hartsfield-Jackson Atlanta International Airport; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 13-R-0033 (16) A Resolution by **Transportation Committee** authorizing the Mayor to execute a Renewal Agreement with Hojeij Branded Foods, Inc., for Lease Agreement FC-6004007846 for Concourse E Food & Beverage Fast Food Concessions at Hartsfield-Jackson Atlanta International Airport; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

FINANCE/EXECUTIVE COMMITTEE

FELICIA A. MOORE, CHAIR

- 13-R-0031 (17) A Resolution by **Finance/Executive Committee** authorizing the Chief Financial Officer to refund customers for overpayment to Water and Sewer Accounts in the amount of \$111,114.40; all funds to 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 14 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, CHAIR

13-R-0105 (18) A Resolution by **Councilmember Cleta Winslow** authorizing the Mayor to enter into amendment Number 1 with Kissberg Construction, Inc. for FC-5683-Citywide Demolition Services on behalf of the Executive Offices – Office of Enterprise Assets Management to add the site and funding for the Atlanta Fire Rescue Department for the abatement of asbestos, lead, and mold removal at Fire Station #7 in an amount not to exceed \$500,000.00; all work to be charged to and paid from the listed PATEO Numbers; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

13-R-0106 (19) A Resolution by **Councilmember Cleta Winslow** authorizing the Mayor on behalf of the Executive Offices – Office of Enterprise Assets Management to issue a Task Order with Atlanta Service Group for FC-4906B Architectural Engineering and Design Services for the Assessment, Programming, Schematic Design, and Construction Documents, and Design Development for the Construction of Fire Station #7 in an amount not to exceed \$500,000.00; all work to be charged and paid from Fund, Account and Function Activity Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

MICHAEL J. BOND, CHAIR

Claims with favorable recommendations:

13-R-0037 (1) Claim of **GEICO, as subrogee of Daniel Pascale and Gina Pascale (DPW/07)**, for property damage sustained as a result of a vehicular accident on December 19, 2011 at Alpine Road at East Wesley Road. **\$2,072.48**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

13-R-0038 (2) Claim of **State Farm, as subrogee of Phillip Habersham (AFR/04)**, for property damage alleged to have been sustained as a result of an automobile accident on April 21, 2012 at 3901 Campbellton Road. **\$1,924.81**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

1/22/13 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)

13-R-0039 (3) Claim of **American Family Insurance, as subrogee of Brian and Tracey Quinn (APD/02)**, for property damage alleged to have been sustained as a result of an automobile accident on August 22, 2012 at Centennial Olympic Park Drive.

\$1,016.32

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

13-R-0040 (4) Claim of **State Farm, as subrogee of Marlon C. Brown (APD/02)**, for property damage alleged to have been sustained as a result of an automobile accident on July 01, 2012 at West Peachtree Street.

\$3,803.90

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

13-R-0041 (5) Claim of **David E. Sikes, through his attorney, Tully Hazell, Esq., Burr & Forman, LLP (DPW/07)**, for property damage alleged to have been sustained as a result of an automobile accident on June 16, 2012 at 3849 Club Drive.

\$4,898.56

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

13-R-0042 (6) Claim of **Tomeaka Lester (DPW/09)**, for property damage alleged to have been sustained as a result of an automobile accident on November 19, 2012 at West Marietta Boulevard.

\$4,000.00

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

13-R-0043 (7) Claim of **Barbara LeNoble and Douglas Sheaffer (DWM/08)**, for property damage allegedly sustained as a result of a sewer back-up on May 21, 2012 at 1491 Wesley Parkway.

\$6,652.91

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

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Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

MICHAEL J. BOND, CHAIR

Claims with favorable recommendations: (Cont'd)

13-R-0044 (8) Claim of **Lok B. Alley (DPW/NA)**, for property damage alleged to have been sustained as a result of an automobile accident on August 06, 2012 at Riverdale Road and Interstate 285 West. **\$1,618.74**

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

13-R-0045 (9) Claim of **Jamese Parker, through her Attorney, Princewill Aneke (APD/05)**, for bodily injury sustained as a result of a vehicular accident on September 21, 2011 at Memorial Drive at Wilkinson Drive. **\$5,000.00**

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

13-R-0046 (10) Claim of **Marco Robinson (APD/04)**, for property damage alleged to have been sustained as a result of an automobile accident on May 22, 2012 at Cascade and Herring Roads.

\$4,557.32

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

13-R-0047 (11) Claim of **LaShawn L. Thompson (APD/NA)**, for property damage alleged to have been sustained as a result of an automobile accident on March 26, 2012 at 3604 Marketplace Boulevard.

\$1,246.95

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

Claims with unfavorable recommendations:

13-R-0048 (12) Claim of **Thursday Hutchinson (JUD/02)**, for bodily injury allegedly sustained as a result of a spider bite on August 6, 2012 at 150 Garnett Street, Municipal Courts.

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

13-R-0049 (13) Claim of **Stephen G. Freeman (APD/04)**, for property damage alleged to have been sustained as the result of his stolen vehicle being recovered on June 17, 2012 at 1061 Lee Street.

**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 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)

- 13-R-0050 (14) Claim of **Ida Craft (DPRCA/09)**, for property damage alleged to have been sustained as the result of a tree limb on October 2, 2012 at 1599 Ferno Drive.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 13-R-0051 (15) Claim of **State Farm, as subrogee of Yvette Pace (DPW/02)**, for property damage alleged to have been sustained from a motor vehicle accident on July 09, 2012 at Peachtree and 10th Streets.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 13-R-0052 (16) Claim of **Yvette Pace (DPW/02)**, for property damage alleged to have been sustained from a motor vehicle accident on July 09, 2012 at Peachtree and 10th Streets.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 13-R-0053 (17) Claim of **Willie Johnson (DWM/03)**, for property damage allegedly sustained as a result of an interruption of water service on August 13, 2012 at 602 Westlake Avenue.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 13-R-0054 (18) Claim of **Jose Velez (DHR/02)**, for damages alleged to have been sustained as a result of termination of employment on October 6, 2011 at 68 Mitchell Street.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 13-R-0055 (19) Claim of **Rashida Moore, through her attorney, Dustin S. Taps, Esq., Montlick and Associates, P.C. (APD/09)**, for property damage alleged to have been sustained when her vehicle was struck by another vehicle on September 30, 2012 at Interstate 285 and Donald Lee Hollowell Parkway.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 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)

- 13-R-0056 (20) Claim of **Juan Chacon (DPW/10)**, for property damage alleged to have been sustained when his vehicle was struck by a city vehicle on June 15, 2012 at Interstate 75/85.
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEARS;
0 NAYS**
- 13-R-0057 (21) Claim of **Thomas George Associates, Ltd., for Liberty Mutual Insurance, as subrogee of Anna Nikolic (APD/02)**, for property damage alleged to have been sustained when her vehicle was struck by a city vehicle on August 11, 2011 at 161 Peachtree Center Avenue.
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEARS;
0 NAYS**
- 13-R-0058 (22) Claim of **William Erik Poole (DPW/02)**, for property damage alleged to have been sustained as the result of an automobile accident on November 21, 2011 at 835 Belgrade Avenue.
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEARS;
0 NAYS**
- 13-R-0059 (23) Claim of **Joseph J. Romant (DPW/04)**, for property damage alleged to have been sustained as the result of a City vehicle striking a mail box at 311 Atwood Street.
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEARS;
0 NAYS**
- 13-R-0060 (24) Claim of **Jacquelyn Harris-Hines, through her attorney, Jeffrey S. Kowalski, Esq., Montlick & Associates, P.C. (DPW/04)**, for bodily injury alleged to have been sustained when her vehicle was struck by a city vehicle on July 30, 2012 on Pryor Road at Thornton Street.
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEARS;
0 NAYS**
- 13-R-0061 (25) Claim of **Christopher Jackson (NA/02)**, for property damage allegedly sustained as a result of driving over a pothole on January 22, 2012 at 18th Street and State Street.
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEARS;
0 NAYS**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

MICHAEL J. BOND, CHAIR

Claims with unfavorable recommendations: (Cont'd)

- 13-R-0062 (26) Claim of **Rachel Bhattacharya (DPW/06)**, for property damage alleged to have been sustained as the result of driving over a granite driveway curb on March 10, 2011 at 209 14th Street.
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEARS;
0 NAYS**
- 13-R-0063 (27) Claim of **DTG Operations, as subrogee of Melvin Grimes (APD/02)**, or property damage allegedly sustained as a result for a vehicular accident on August 3, 2010 at Memorial Drive and Pryor Street.
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEARS;
0 NAYS**
- 13-R-0064 (28) Claim of **Ray Kendrick, through his attorney, Robert Bozeman, Esq., The Davis Bozeman Law Firm, PC (NA/12)**, for bodily injury alleged to have been sustained from an automobile accident on October 16, 2012 at 3465 Hamilton Boulevard.
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEARS;
0 NAYS**
- 13-R-0065 (29) Claim of **Ronald Kendrick, through his attorney, Robert Bozeman, Esq., The Davis Bozeman Law Firm, PC (NA/12)**, for bodily injury alleged to have been sustained from an automobile accident on October 16, 2012 at 3465 Hamilton Boulevard.
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEARS;
0 NAYS**
- 13-R-0066 (30) Claim of **Ann M. Hart (DPW/03)**, for property damage alleged to have been sustained as the result of a pothole on October 16, 2012 at Euhralee Street.
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEARS;
0 NAYS**
- 13-R-0067 (31) Claim of **Michelle Mays (DWM/03)**, for damage alleged to have been sustained as the result of a water meter at 1917 Joseph E. Boone Boulevard.
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEARS;
0 NAYS**

1/22/13 Action Minutes

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

MICHAEL J. BOND, CHAIR

Claims with unfavorable recommendations: (Cont'd)

- 13-R-0068 (32) Claim of **The Cincinnati Insurance Companies, as subrogee of Jesse, Nancy and Tessa Johnson (NA/06)**, for property damage alleged to have been sustained when his vehicle was struck by an alleged city vehicle on August 21, 2012 at Piedmont Avenue and Decatur Street.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 13-R-0069 (33) Claim of **Moses Y. McClenton, through his attorney, Patrick R. Matarrese, Esq., Montlick & Associates, P.C. (NA/01)**, for bodily injury alleged to have been sustained from an automobile accident on July 2, 2012 at 3490 Jonesboro Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 13-R-0070 (34) Claim of **Radhames Llaverias (APD/01)**, for property damage alleged to have been sustained when his vehicle was struck by a city vehicle on December 3, 2011 at 901 Custer Avenue.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 13-R-0071 (35) Claim of **Glynis Terrell (NA/NA)**, for property damage alleged to have been sustained on August 23, 2011 as the result of falling debris at State Road 166 at Lee Street Exit.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 13-R-0072 (36) Claim of **Valerie Phipps-Jewell (APD/04)**, for personal injuries alleged to have been sustained on September 29, 2010 as the result of a trespass at 1326 Thurgood Street.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 13-R-0073 (37) Claim of **Tabitha Pitts (DPW/10)**, for bodily injury alleged to have been sustained as the result of falling in an open water meter on February 17, 2012 at 335 Fairburn Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

1/22/13 Action Minutes

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

MICHAEL J. BOND, CHAIR

Claims with unfavorable recommendations: (Cont'd)

- 13-R-0074 (38) Claim of **Anton Kinks, Sr., through his attorneys, Bruce A. Hagen, P.C. (NA/04)**, for bodily injury alleged to have been sustained from an automobile accident on April 19, 2012 at Sims Street and Arthur Street.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 13-R-0075 (39) Claim of **Crystal Jones, through her attorney, Goodman & Goodman, LLP (DOA/NA)**, for bodily injury alleged to have been sustained from a trip and fall incident on May 25, 2012 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 13-R-0076 (40) Claim of **Premier Elevator Company, Inc. (NA/09)**, for property damage alleged to have been sustained when a tire blew out on August 22, 2011 at Perry Boulevard and Johnson Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 13-R-0077 (41) Claim of **Sharon Lane (DWM/03)**, for property damage allegedly sustained as a result of driving over a damaged manhole on April 1, 2011 at 1170 Howell Mill Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 13-R-0078 (42) Claim of **Sallie Harmon and Kevin Harmon, through their attorney, Amanda D. Phillips Roux, Attorney At Law (DOA/NA)**, for bodily injury alleged to have been sustained from a trip and fall incident on May 24, 2012 at Hartsfield-Jackson Atlanta International Airport.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 13-R-0079 (43) Claim of **Bradley L. Pease (NA/06)**, for property damage alleged to have been sustained from striking a power pole on August 5, 2012 at 1217 Monroe Drive.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

1/22/13 Action Minutes

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

MICHAEL J. BOND, CHAIR

Claims with unfavorable recommendations: (Cont'd)

- 13-R-0080 (44) Claim of **Timothy Bramlett, through his attorney, Reynolds E. Pitts, Jr., Esq., Morgan & Morgan (DOA/NA)**, for bodily injury alleged to have been sustained from a fall on May 10, 2012 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 13-R-0081 (45) Claim of **Eng Vilaylak (DOA/NA)**, for bodily injury alleged to have been sustained from a fall on June 11, 2012 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 13-R-0082 (46) Claim of **Munir Foster, through his attorney, Kevin Sobel, Esq., Kanner & Pinaluga, P.A. (NA/NA)**, for bodily injury alleged to have been sustained in an automobile accident on October 6, 2012 at Brady Avenue.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 13-R-0083 (47) Claim of **Joann Williams, through her attorneys, Bruce A. Hagen, P.C. (NA/04)**, for bodily injury alleged to have been sustained from an automobile accident on April 19, 2012 at Sims Street and Arthur Street.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 13-R-0084 (48) Claim of **Anton Jinks, Jr., a minor, through his attorneys, Bruce A. Hagen, P.C. (NA/NA)**, for bodily injury alleged to have been sustained from an automobile accident on April 19, 2012 at Sims Street and Arthur Street.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

1/22/13 Action Minutes

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

MICHAEL J. BOND, CHAIR

Claims with unfavorable recommendations: (Cont'd)

- 13-R-0085 (49) Claim of **Brandy Harris, through her attorney, Reeder Law Firm (DWM/12)**, for bodily injury alleged to have been sustained from falling into an uncovered water meter on August 21, 2010 at 1092 Allene Drive.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 13-R-0086 (50) Claim of **Mark Nanna (DWM/12)**, for property damage alleged to have been sustained as the result of a metal plate on October 13, 2012 at 945 Victory Drive.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 13-R-0087 (51) Claim of **Huub Giesen (NA/02)**, for property damages alleged to have been sustained when a rock was thrown from a mobile lawn mower during a grass cutting project on May 18, 2012 at 499 Highland Avenue.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 13-R-0088 (52) Claim of **Trisha Dawn Wilson, through her attorney, Justin D. Miller, Esq., Morgan & Morgan (DOA/NA)**, for bodily injury alleged to have been sustained from a malfunctioning revolving door on September 14, 2012 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 13-R-0089 (53) Claim of **Sabrina Brown (DPRCA/10)**, for bodily injury alleged to have been sustained as the result of a tree limb falling on June 28, 2012 at 2129 Martin L. King, Jr. Drive.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 13-R-0090 (54) Claim of **Teddy D. Williams (DPRCA/02)**, for property damages alleged to have been sustained when a tree limb fell on a parked vehicle September 19, 2012 at 360 Edgewood Avenue.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

1/22/13 Action Minutes

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

MICHAEL J. BOND, CHAIR

Claims with unfavorable recommendations: (Cont'd)

- 13-R-0091 (55) Claim of **Christa Daniels, through her attorney, Reynolds E. Pitts, Jr., Esq., Morgan & Morgan (DOA/NA)**, for bodily injury alleged to have been sustained from a fall on June 8, 2012 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEARS;
0 NAYS**
- 13-R-0092 (56) Claim of **GEICO Direct, as subrogee of Nina Joiner (APD/03)**, for property damage alleged to have been sustained as the result of a vehicle accident on July 23, 2011 at Donald Lee Hollowell Parkway.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEARS;
0 NAYS**
- 13-R-0093 (57) Claim of **Luis A. Restrepo, through his attorney, Hung Q. Nguyen & Associates, LLC (NA/NA)**, for bodily injury alleged to have been sustained from an automobile accident involving a MARTA bus on March 12, 2012 at an unspecified location.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEARS;
0 NAYS**
- 13-R-0094 (58) Claim of **Gregory F. Rhodes (DWM/07)**, for property damage alleged to have been sustained from a billing dispute on July 11, 2011 at 445 Pharr Road, NE.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEARS;
0 NAYS**
- 13-R-0095 (59) Claim of **Kimitra Oates (NA/NA)**, for property damage alleged to have been sustained from driving over a pothole on September 11, 2012 at Fairground Street, SE and Waterman Street, SE, Marietta, Georgia.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEARS;
0 NAYS**
- 13-R-0096 (60) Claim of **Progressive Mountain Insurance, as subrogee of Natalie Johnson (DPW/10)**, for property damage alleged to have been sustained when her vehicle was struck by a city vehicle on September 6, 2012 at Braemar Avenue.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEARS;
0 NAYS**

**CONSENT AGENDA
SECTION II**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA

SECTION II

ORDINANCES FOR FIRST READING

CITY UTILITIES COMMITTEE

HOWARD SHOOK, CHAIR

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

13-O-0002 (1) An Ordinance by **City Utilities Committee** authorizing the abandonment of any and all remaining portions of Alexander Street between Marietta Street, NW, Ivan Allen Boulevard and Luckie Street, NW and being more specifically described in the attached Exhibit "A", said property lying and being in Land Lot 79 of the 14th District, Fulton County, Georgia; and for other purposes. **(Advertised for a Public Hearing 1/29/13 at 9:30 a.m. in Committee Room #2)**

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

13-O-0003 (2) An Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY2013 (Water and Wastewater Renewal and Extension Fund) (5052) Budget in the amount of \$176,489.00; to transfer funds from the Water and Wastewater Renewal and Extension Fund Reserve for Appropriations and add to Appropriations for Global Positioning System Units (GPS) and Monitoring; and for other purposes.

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

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

MICHAEL J. BOND, CHAIR

13-O-0025 (3) An Ordinance by **Public Safety and Legal Administration Committee** to amend Chapter 106, Article IV, Division 1, Section 106-127, entitled "Solicitation for an Illicit Sexual Act," to mandate a sentence of a term of probation for a first conviction of a violation of Section 162-127, and to mandate banishment from geographical areas within the City of Atlanta defined as "Areas of Prostitution" during the time of said probation; to require banishment from "Areas of Prostitution" during the probationary period mandated for a second violation of Section 162-127, should the sentencing court decline to banish the offender from the corporate limits of the City as currently allowed; to remove superfluous sentencing language; and for other purposes.

REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

13-O-0026 (4) 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 \$22,143.22 from a Grant Award from the United States Department of Justice, and \$22,143.22 in matching funds from the City of Atlanta, Georgia, totaling \$44,286.44; to purchase Bullet-Proof Vests for the Atlanta Police Department; and for other purposes.

REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

13-O-0027 (5) An Ordinance by **Public Safety and Legal Administration Committee** amending the 2013 (Intergovernmental Grant Fund) Budget, Department of Police, by adding to Anticipations and Appropriations, \$59,547.50 with no matching funds, to Grant G12GA0003A, from the White House Office of National Drug Control Policy ("ONDCP"), for the purpose of continuing the Atlanta High Intensity Drug Trafficking Area Task Force ("Atlanta HIDTA"), to disrupt and dismantle drug trafficking organizations; and for other purposes.

REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

TRANSPORTATION COMMITTEE

C. T. MARTIN, CHAIR

- 13-O-0021 (6) An Ordinance by **Transportation Committee** authorizing the Mayor, or his designee, to make the intersection of Wakefield Drive, NE and Camden Road, NE a Four-Way Stop controlled intersection; and for other purposes.
REFERRED TO TRANSPORTATION COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 13-O-0022 (7) An Ordinance by **Transportation Committee** authorizing the Mayor, or his designee, to make the intersection of Hurst Drive, NE and Springdale Drive, N.E. a Four-Way Stop controlled intersection; and for other purposes.
REFERRED TO TRANSPORTATION COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 13-O-0023 (8) An Ordinance by **Transportation Committee** authorizing the Mayor, or his designee, to make the intersection of Amal Drive, SW and Pryor Road, SW a Four-Way Stop controlled intersection; and for other purposes.
REFERRED TO TRANSPORTATION COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 13-O-0024 (9) An Ordinance by **Transportation Committee** authorizing the Mayor, or his designee, to reduce the posted speed limit on Rosedale Drive, NE between North Highland Avenue, NE and Virginia Avenue, NE from thirty (30) miles per hour to twenty-five (25) miles per hour; and for other purposes.
REFERRED TO TRANSPORTATION COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

FINANCE/EXECUTIVE COMMITTEE

FELICIA A. MOORE, CHAIR

- 13-O-0028 (10) An Ordinance by **Finance/Executive Committee** authorizing the Mayor or his designee, on behalf of the City of Atlanta to waive the requirements of the City Code Section 2-1541(d) of the Procurement and Real Estate Code, to accept the dedication from Atlanta BeltLine, Inc. of approximately 7.45 acres located in Historic Fourth Ward Park in three parcels on North Angier Avenue and Ralph McGill Boulevard more particularly described in Exhibit "A" attached hereto ("The Properties"); and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 13-O-0029 (11) An Ordinance by **Finance/Executive Committee** amending the 2013 (Trust Fund) Budget, to reimburse the Atlanta Police Department ("Police Department") for costs associated with the Red Light Traffic Camera Program, by transferring between accounts the sum of \$57,826.62; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 13-O-0030 (12) An Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer to write-off Department of Watershed Management Water and Wastewater Uncollectible Accounts Receivable in the amount of \$1,250,069.31; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 13-O-0032 (13) An Ordinance by **Finance/Executive Committee** to correct Ordinance 12-O-0961 adopted by City Council on July 16, 2012 and approved as per City Charter Section 2-403 on July 25, 2012 correcting the Oracle Fund Number, Project Number listed from 600394 to 600395; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

COMMITTEE REPORTS

1/22/13 Action Minutes

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS

CITY UTILITIES COMMITTEE (1)
HOWARD SHOOK, CHAIR

Attendance at the January 15, 2013 meeting of the City Utilities Committee was as follows:

Present: Councilmembers Shook (Chair), Martin, Adrean, Wan, Watson and Smith

Absent: Councilmember Archibong

RESOLUTIONS

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

12-R-1730 (1) A Resolution by **Councilmembers Keisha Lance Bottoms and H. Lamar Willis** authorizing the Mayor or his designee to amend FC-4943B with Kemi Construction, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters, to include additional unit price line items for bridges, on behalf of the Department of Public Works; and for other purposes.
FILED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

12-R-1733 (2) A Resolution by **Councilmembers Keisha Lance Bottoms and H. Lamar Willis** authorizing the Mayor or his designee to amend FC-4943E with Tople Construction, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters, to include additional unit price line items for bridges, on behalf of the Department of Public Works; and for other purposes.
FILED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

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

Attendance at the January 15, 2013 meeting of the Community Development/Human Resources Committee was as follows:

Present: Councilmembers Sheperd (Chair), Winslow, Shook and Willis

Absent: Councilmembers Hall and Young

The Council's standing Community Development/Human Resources Committee did not deliver a report at this meeting.

1/22/13 Action Minutes

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

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

Attendance at the January 15, 2013 meeting of the Public Safety and Legal Administration Committee was as follows:

Present: Councilmembers Bond (Chair), Willis, Bottoms, Martin and Winslow

Absent: Councilmembers Young and Hall

ITEM REMOVED FROM CONSENT AGENDA

12-O-1820 (1) An Ordinance by **Councilmember Michael J. Bond as Amended by Public Safety and Legal Administration Committee** to require that all fines imposed and collected by the City of Atlanta Municipal Court resulting from violations of the City of Atlanta Scrap Tire Enforcement Ordinance, Chapter 130 (Solid Waste Management), Article II (Scrap Tire Enforcement), Sections 130-28 through 130-36, shall be deposited in the City's Solid Waste Services Revenue Fund, with said fine amounts to be used by the City exclusively for all costs associated with the clean-up of scrap tire dumping sites throughout the City; and for other purposes.

The above item was removed from the Consent Agenda by request of Councilmember Wan. Chairperson Bond sounded the caption to ordinance 12-O-1820 and made a Motion to Adopt. An extensive discussion ensued, during which, Councilmember Sheperd made a Motion to Table for a two-week time certain. However, the Motion did not prevail. Discussion continued, in which, Councilmember Bottoms Called the Question. The Motion then CARRIED by a roll call vote of 12 yeas; (Councilmembers Smith, Hall, Young, Winslow, Wan, Shook, Moore, Martin, Bottoms, Sheperd, Bond and Watson); 2 nays; (Councilmembers Adrean and Willis). The Motion to Adopt as Amended was subsequently, before Council, and CARRIED by a roll call vote of 8 Yeas; (Councilmembers Smith, Hall, Young, Winslow, Shook, Martin Bond and Willis); 6 nays; (Councilmembers Wan, Adrean, Moore, Bottoms, Sheperd and Watson).

ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 8 YEAS;
(Councilmembers Smith, Hall, Young, Winslow, Shook, Martin Bond
and Willis); 6 NAYS; (Councilmembers Wan, Adrean, Moore,
Bottoms, Sheperd and Watson)

1/22/13 Action Minutes

Council President Cesar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (1)

KEISHA LANCE BOTTOMS, CHAIR

Attendance at the January 16, 2013 meeting of the Zoning Committee was as follows:

Present: Councilmembers Bottoms (Chair), Wan, Shook, Sheperd

Absent: Councilmembers Smith and Young

ZONING REVIEW BOARD SUMMARY ITEMS

12-O-1434 (1)
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, N.E.**, 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 acres; 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.
ADOPTED BY A ROLL CALL VOTE OF 14 YEAS;
(Councilmembers Smith, Hall, Young, Winslow, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis); 0 NAYS

Ordinances; (2) through (04) as follows, were Adopted on Substitute by a single roll call vote of 13 yeas (Councilmembers Smith, Hall, Young, Winslow, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Watson and Willis); **0 nays.**

12-O-1405 (2)
Z-12-35 A **Substitute** Ordinance by **Zoning Committee** to rezone from the MRC-3-C (Mixed Residential Commercial) District to the I-1 (Heavy Industrial) District, property located at **1033 Jefferson Street, N.W.**; and for other purposes.
ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

12-O-0448 (3)
Z-12-11 An Ordinance by **Councilmember Keisha Bottoms as Substituted by Zoning Committee** to rezone certain properties within the Campbellton Road Corridor in NPU-P from the C-1 (Community Business) and the C-1-C (Community Business-Conditional) Districts to the MRC-1-C (Mixed Residential Commercial-Conditional) District and MR-4A-C (Multi-Family Residential) District; and for other purposes.
ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (2)

KEISHA LANCE BOTTOMS, CHAIR

ZONING REVIEW BOARD SUMMARY ITEMS (CONT'D)

12-O-0449 (4)
Z-12-12

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

ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Ordinances; (5) through (06) as follows, were Adopted as Amended by a single roll call vote of 13 yeas (*Councilmembers Smith, Hall, Young, Winslow, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Watson and Willis*); **0 nays.**

12-O-1438 (5)
U-12-23

An **Amended** Ordinance by **Zoning Committee** granting a Special Use Permit for a Community Center pursuant to Section 16-05.005 (1) (k) of the Zoning Ordinance, property located at **130 West Paces Ferry Road, N.W.**, 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.

ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (3)

KEISHA LANCE BOTTOMS, CHAIR

ZONING REVIEW BOARD SUMMARY ITEMS (CONT'D)

12-O-1326 (6)
Z-12-34

An **Amended** Ordinance by **Zoning Committee** to rezone from the MR-2 (Multifamily Residential), MR-2-C (Multifamily Residential-Conditional) and MRC-2-C (Mixed Residential Commercial-Conditional) Districts to the MR-3-C (Multifamily Residential Conditional) District, property located at **2626 Burtz Street, 2590 Burtz Street, 2580 Burtz Street, 1884 Hollywood Road, 2633 and 2641 Burtz Street, 2615 Burtz Street, 2622 Peyton Road, 2612 Peyton Road, 2614 Peyton Road, 2616 Peyton Road, 2597 Burtz Street and 1900, 1906, 1910 and 1914 Hollywood Road and 2585 Burtz Street**, approximately 443.6 feet on the west side of Hollywood Road beginning 78 feet from the southwest corner of Peyton Road. Depth: varies; Area: approximately 10.50 acres; Land Lot 252, 17th District, Fulton County, Georgia. Owner: Bolton park, L.P.; Applicant: Bolton Park, L.P.; NPU-D Council District 9.

ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

ORDINANCE FOR SECOND READING

12-O-1743 (1)

An Ordinance by **Councilmembers Michael Julian Bond, Aaron Watson and H. Lamar Willis** to amend Section 16-28A.010(12) of the Sign Ordinance of the City of Atlanta Regulating Signs in the Downtown Special Public Interest Zoning District (SPI-1), so as to modify and revise certain provisions of said section; and for other purposes.

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

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (4)

KEISHA LANCE BOTTOMS, CHAIR

ORDINANCES FOR FIRST READING

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

13-O-0108 (1) An Ordinance by **Zoning Committee** to rezone from the R-4A/C-1/BeltLine Overlay (Single Family Residential/Community Business/BeltLine Overlay) District to the C-1 (Community Business) District, property located at **1583 Howell Mill Road, NW**, fronting approximately 127 feet on the east side of Howell Mill Road at the northern intersection of Antone Street.

Z-12-47

Depth: Approximately 195 Feet
Area: Approximately 0.56 Acre
Land Lot: 152, 17th District, Fulton County, Georgia
Owner: 1583 Howell Mill Road, LLC
Applicant; 1583 Howell Mill Road, LLC
NPU-D Council District 8

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

13-O-0109 (2) An Ordinance by **Zoning Committee** to rezone from the I-2 (Heavy Industrial) and I-1 (Light Industrial)) Districts to the MRC-3 (Mixed Residential Commercial) District, property located at **930 Howell Mill Road, NW**, fronting approximately 249.9 feet on the west side of Howell Mill Road at the southwesterly corner of 9th Street.

Z-12-48

Depth: Approximately 502.4 Feet
Area: Approximately 2.96 Acres
Land Lot: 150, 17th District, Fulton County, Georgia
Owner: Richard Martin
Applicant: Kevin S. Edwards
NPU-E Council District 3

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (5)

KEISHA LANCE BOTTOMS, CHAIR

ORDINANCES FOR FIRST READING (CONT'D)

13-O-0110 (3)
Z-12-49 An Ordinance by **Zoning Committee** to rezone from the R4-A (Single Family Residential) and C-1 (Community Business) Districts to the R-4A (Single Family Residential) District, property located at **2131 and 2137 College Avenue, NE and 364 and 370 Murray Hill, NE**, fronting approximately 127 feet on the south side of College Avenue and approximately 232 feet west of the intersection of College Avenue and Murray Hill Avenue and approximately 135 feet on the west side of Murray Hill Avenue at the intersection of College Avenue and Murray Hill Avenue.

Depth: Varies
Area: Approximately 1.0 Acre
Land Lot: 150, 15th District, DeKalb County, Georgia
Owner: Stephen W. Knapp
Applicant: Stephen W. Knapp
NPU-O Council District 5

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

13-O-0111 (4)
U-12-26 An Ordinance by **Zoning Committee** granting a Special Use Permit pursuant to Section 16-06.005(l)(c) and (k) for a Church and Community Center for property located at **3180 Peachtree Road, NE**, fronting approximately 160 feet on the east side of Mathieson Drive and beginning 180 feet from the northeast corner of Mathieson Place and Mathieson Drive.

Depth: Approximately 440 Feet
Area: 3.739 Acres
Land Lot: 61, 17th District, Fulton County, Georgia
Owner: Peachtree Road United Methodist Church
Applicant: Peachtree Road United Methodist Church c/o G. Douglas Dillard, Esq.
NPU-B Council District 7

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (6)

KEISHA LANCE BOTTOMS, CHAIR

ORDINANCES FOR FIRST READING (CONT'D)

13-O-0112 (5)
U-82-21/
(TR-12-004)

An Ordinance by **Zoning Committee** to amend Ordinance U-82-21 as adopted by the City Council on July 6, 1982 and approved by the Mayor on July 14, 1982 for the purposes of approving a Transfer of Ownership for a Special Use Permit for a Day Care Center for property located at **799 Hutchens Road, SE**; and for other purposes.

REFERRED TO ZONING COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; (Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Moore, Martin, Bottoms, Sheperd, Watson and Willis); 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (1)

C. T. MARTIN, CHAIR

Attendance at the January 16, 2013 meeting of the Transportation Committee was as follows:

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

Absent: Councilmember Bond

RESOLUTION

13-R-0020 (1) A Resolution by **Transportation Committee** authorizing the Mayor to fully amend and restate that certain Restated and Consolidated Lease dated December 9, 1997, by and between the City of Atlanta and Khushal Hospitality, LLC, related to that certain parcel of land owned by the City of Atlanta located at 1200 Virginia Avenue in Land Lots 127 and 130 of the 14th District of Fulton County, Georgia; and for other purposes.

Chairperson Martin sounded the caption to resolution 13-R-0020 and offered an Amendment which attached a plat for a parcel of land located at 1200 Virginia Avenue in Land Lots 127 and 130 of the 14th District of Fulton County, Georgia. Without Objection, the Martin Amendment CARRIED by a roll call vote of 14 yeas; (Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Watson and Willis); 0 nays. Following, Mr. Martin made a Motion to Adopt as Amended. It was Seconded by Councilmember Shook and the Motion CARRIED by a roll call vote of 14 yeas; 0 nays.

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

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (2)

C. T. MARTIN, CHAIR

PAPERS HELD IN COMMITTEE

12-O-0465 (1) An Ordinance by **Councilmember Natalyn M. Archibong** authorizing the Mayor or his designee to install signage prohibiting vehicles exceeding four (4) tons on Ridgewood Road, NE and Marlbrook Drive, NE; and for other purposes. **(Held 3/28/12 for further review)**

Meeting the two-cycle requirement for Held Status, Councilmember Archibong, sponsor of ordinance 12-O-0465, brought forth the item from Held Status and made a Motion to File. It was properly Seconded and CARRIED by a roll call vote of 14 yeas; 0 nays.

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

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

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

Attendance at the January 16, 2013 meeting of the Finance/Executive Committee was as follows:

Present: Councilmembers Moore (Chair), Martin, Shook, Wan, Watson and Archibong

Absent: Councilmember Adrean

COMMUNICATION

12-C-1755 (1) A Communication by **City Auditor Leslie Ward** submitting an Audit Report on Controls over Fuel Inventory.
FILED BY A ROLL CALL VOTE OF 14 YEAS; (Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Watson and Willis); 0 NAYS

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Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (1)

YOLANDA ADREAN, CHAIR

Attendance at the January 22, 2013 meeting of the Committee on Council was as follows:

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

Absent: Councilmember Bond

COMMUNICATIONS

Communications; (1) through (04) as follows, were Confirmed by a single roll call vote of 15 yeas (*Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis*); **0 nays.**

12-C-1629 (1) A Communication from **Anita Foster, Student Government President, Spelman College, to Council President Ceasar C. Mitchell and Members of Council**, submitting Ms. Brianna A. Kinsey, as their representative to serve as a member of the Student Safety Council Advisory Group. (**Favorable by Public Safety and Legal Administration Committee 1/15/13**)
ADOPTED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

13-C-0001 (2) A Communication from **Ashish Gandhi, President, Student Government Association, Emory University, to Council President Ceasar C. Mitchell and Members of Council**, submitting Ms. Shaunesse Jacobs, as their representative to serve as a member of the Student Safety Council Advisory Group. (**Favorable by Public Safety and Legal Administration Committee 1/15/13**)
ADOPTED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

13-C-0099 (3) A Communication by **Mayor Kasim Reed** appointing Mr. Michael L. Green to serve as a member of the Atlanta Fulton County Recreation Authority Board. This appointment is for a term of four (4) years, scheduled to begin on the date of Council confirmation. (**Favorable by Community Development/Human Resources Committee 1/15/13**)
ADOPTED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

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Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (2) **YOLANDA ADREAN, CHAIR**

COMMUNICATIONS (CONT'D)

- 13-C-0100 (4) A Communication by **Mayor Kasim Reed** re-appointing Imam Plemon T. El-Amin to serve as a member of the Atlanta Fulton County Recreation Authority Board. This re-appointment is for a term of four (4) years, scheduled to begin on the date of Council confirmation. **(Favorable by Community Development/Human Resources Committee 1/15/13)**
ADOPTED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

ORDINANCE FOR FIRST READING

- 13-O-0134 (1) An Ordinance by **Committee on Council** to amend Chapter 114, Personnel, Article IV, Classification Plan of the Code of Ordinances, City of Atlanta, Georgia, so as to provide for certain position creations and reclassifications in the Department of City Council, Office of Council Staff; and for other purposes.
REFERRED 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

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS

RESOLUTION/ADOPTED

13-R-0173 (1) A Resolution by **Councilmembers C. T. Martin, Clela Winslow, Natalyn Archibong, Keisha Bottoms, H. Lamar Willis, Ivory Lee Young, Jr., Yolanda Adrean, Joyce M. Sheperd, Howard Shook and Michael Julian Bond** to request the re-employment of Dexter Chambers as Communications Director for the Atlanta City Council effective immediately.

Councilmember Martin made a Motion to Adopt Resolution 13-R-0173. It was Seconded by Councilmember Adrean and the Motion CARRIED by a roll call vote of 12 yeas; 0 nays.

ADOPTED BY A ROLL CALL VOTE OF 12 YEAS;
(Councilmembers Hall, Young, Winslow, Archibong, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond and Willis); **0 NAYS**

ORDINANCES/REFERRED

13-O-0163 (1) An Ordinance by **Councilmember Clela Winslow** to amend the City of Atlanta Code of Ordinances by repealing Chapter 30, Article XXIII, (Vending on Public Property), in its entirety; to thereby eliminate public property vending in the City of Atlanta; to waive conflicting ordinances; and for other purposes.

REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

13-O-0164 (2) An Ordinance by **Councilmember Michael Julian Bond** to amend the City of Atlanta Code of Ordinances by repealing Chapter 30, Article XXIII, (Vending on Public Property), in its entirety; to amend Chapter 30, Article XXIII to create temporary vending regulations; to allow persons who in 2012 possessed permits to vend in accordance with Chapter 30, Article XXIII to apply for temporary vending permits; to allow persons who in 2012 were allowed to vend pursuant to permits issued pursuant to Chapter 30, Article XXIII during calendar year 2003 to apply for temporary vending permits; to provide for the expiration of the temporary public property vending regulations and all temporary vending permits on December 31, 2013; to waive conflicting ordinances; and for other purposes.

REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

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Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

- 13-O-0165 (3) An Ordinance by **Councilmember C. T. Martin** authorizing the Chief Financial Officer to amend the FY 2013 (General Fund) Budget by transferring to and from appropriations in the amount of One Hundred Eighty Two Thousand Four Hundred Twenty One Dollars and No Cents (\$182,421.00), and authorizing the execution of a closing agreement with the Internal Revenue Service regarding the issuance of the City of Atlanta \$80,000,000 General Fund Tax Anticipation Note, Series 2010; and to authorize payment of penalties in the amount of One Hundred Eighty Two Thousand Four Hundred Twenty One Dollars and No Cents (\$182,421.00); to be charged to and paid from Fund (1001- General Fund) Department (200301-Non-Departmental) Organization (5730009 - Unallocated Citywide) Function/Activity (1540000-Penalties); and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 13-O-0166 (4) An Ordinance by **Councilmember Yolanda Adrean** correcting Ordinance Number 12-O-0562 which abandoned a portion of South Colonial Homes Circle, N.W., located between Colonial Homes Drive, N.W. and South Colonial Homes Circle, N.W. in exchange for conveyance of approximately 0.415 acres located on South Colonial Homes Circle N.W.; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION
- 13-O-0167 (5) An Ordinance by **Councilmember Kwanza Hall** requiring the notification of District Council Member and affected Neighborhood Planning Unit (NPU) whenever a Special/Public Event is planned; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION
- 13-O-0168 (6) An Ordinance by **Councilmember Howard Shook** to exchange real property proposed for improvement as Right of Way to extend Lakeside Drive and Wright Avenue for real property proposed for improvement as Right of Way to extend Lakeside Drive and Wright Avenue in a new configuration; to authorize the Mayor to enter into an agreement for construction of streets on the new Right of Way in exchange for impact fee credits; to clarify certain language in Ordinance 07-O-1928; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

1/22/13 Action Minutes

Council President **Cesar C. Mitchell** Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

13-O-0169 (7) An Ordinance by **Councilmember Joyce M. Sheperd** authorizing the City of Atlanta to waive the requirements contained in Sections 2-1541 (c) and (d) of Article X Division 14 Subdivision II 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 purchase property located at Metropolitan Parkway, SW and identified by Tax Parcel Numbers 14-0102-0007-041 and 043 in an amount not to exceed Six Hundred Thousand Dollars and No Cents (\$600,000.00), from Manley Homes, Inc., its successors or assigns, for the purpose of procuring the site of a proposed Atlanta Police Precinct on behalf of the Atlanta Police Department and the Office of Enterprise Assets Management; to be charged to and paid from 3501 (General Gov. Capital), Department 240202 (APD Stations & Buildings), Account 5999999 (Project & Grants Budget), Function Activity 3260000 (Police Stations & Buildings), Project 2411140 (New Zone 3 Precinct), GL Funding, 91106 (SWMA Loan 9986/D.I.F. Police); and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

13-O-0170 (8) An ordinance by **Councilmembers Joyce M. Sheperd, Ivory Lee Young, Jr., Howard Shook, Cleta Winslow, Alex Wan and H. Lamar Willis** to amend Section 2-136 of the Code of Ordinances of the City of Atlanta, Georgia (entitled "Remarks from Public") so as to repeal said Section in its entirety and to establish new rules governing Remarks from the Public when speaking before the Standing Committees of Council; to waive conflicting ordinances; and for other purposes.

REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION

13-O-0171 (9) 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 in the City of Atlanta, Fulton County, Georgia and identified on Exhibit A, attached to this ordinance and incorporated herein, for the purposes of certain 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 CITY UTILITIES COMMITTEE WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

13-O-0172 (10) An Ordinance by **Councilmembers H. Lamar Willis and Aaron Watson** amending the 2013 (Intergovernmental Grant Fund) Budget, Department of the Executive Offices by adding to anticipations and appropriations in the amount of Twenty-Five Thousand Dollars and No Cents (\$25,000.00) from the Cities of Service Impact Volunteering Fund Grant; and authorizing the City of Atlanta to accept the grant and enter into an agreement with the Fund for Cities of Service, Inc., on behalf of the Executive Office, for the purpose of implementation and administration of the grant award in support of the City of Atlanta's recycling corps initiative; all funds to be deposited into accounts as listed below; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

ADJOURNMENT

1/22/13 Action Minutes

Council President Ceasar C. Mitchell Presided

ADJOURNMENT

There being no further business to discuss, the January 22, 2013 meeting of the Atlanta City Council was adjourned at 5:47 p.m.

ADJOURNMENT ROLL CALL: Council President Ceasar C. Mitchell (1); Councilmembers Smith, Hall, Young, Winslow, Archibong, Shook, Adrean, Moore, Martin, Bottoms, Bond and Willis (12); Councilmember Sheperd – early departure with Council President’s acknowledgement (1); the attendance of Councilmembers Wan and Watson were not signified upon the adjourning roll call (2).