

AN ORDINANCE BY TRANSPORTATION COMMITTEE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, ON BEHALF OF THE CITY OF ATLANTA, TO ACCEPT A DONATION FROM MEAD WESTVACO PACKAGING SYSTEMS, LLC, A DELAWARE LIMITED LIABILITY COMPANY, OF A REAL ESTATE EASEMENT LOCATED IN THE SOUTHEAST QUADRANT OF WEST MARIETTA STREET, N.W. AND HERNDON STREET, N.W. IMMEDIATELY ADJACENT TO THE MEAD WESTVACO FACILITY TO INSTALL A STEEL STAIN POLE FOR THE PURPOSE OF RELOCATING A TRAFFIC SIGNAL AND A TRAFFIC CONTROL CABINET; AND FOR OTHER PURPOSES.

Workflow List:

Santana Kempson Wright	Completed	06/13/2014 10:17 AM
Rita Braswell	Completed	06/13/2014 11:45 AM
Richard Mendoza	Completed	06/13/2014 12:12 PM
Saul Schultz	Completed	06/13/2014 12:25 PM
Mayor's Office	Completed	06/13/2014 12:29 PM
Office of Research and Policy Analysis	Completed	06/13/2014 3:43 PM
Transportation Committee	Completed	06/30/2014 2:53 PM
Atlanta City Council	Completed	07/08/2014 4:29 PM
Transportation Committee	Pending	
Atlanta City Council	Pending	
Mayor's Office	Pending	

HISTORY:

06/25/14	Transportation Committee	
07/07/14	Atlanta City Council	REFERRED TO COMMITTEE

RESULT:	REFERRED TO COMMITTEE [14 TO 0]	Next: 7/16/2014 10:30 AM
AYES:	Bond, Norwood, Dickens, Smith, Young Jr., Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd	
AWAY:	Kwanza Hall	

RESULT:	REFERRED TO COMMITTEE [14 TO 0]	Next: 7/16/2014 10:30 AM
AYES:	Bond, Norwood, Dickens, Smith, Young Jr., Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd	
AWAY:	Kwanza Hall	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action	

LEGISLATION HISTORY - BLUE BACK

See Authentication Page Attachment

AN ORDINANCE BY TRANSPORTATION COMMITTEE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, ON BEHALF OF THE CITY OF ATLANTA, TO ACCEPT A DONATION FROM MEAD WESTVACO PACKAGING SYSTEMS, LLC, A DELAWARE LIMITED LIABILITY COMPANY, OF A REAL ESTATE EASEMENT LOCATED IN THE SOUTHEAST QUADRANT OF WEST MARIETTA STREET, N.W. AND HERNDON STREET, N.W. IMMEDIATELY ADJACENT TO THE MEAD WESTVACO FACILITY TO INSTALL A STEEL STAIN POLE FOR THE PURPOSE OF RELOCATING A TRAFFIC SIGNAL AND A TRAFFIC CONTROL CABINET; AND FOR OTHER PURPOSES.

WHEREAS, Mead Westvaco Packaging Systems, LLC, a Delaware Limited Liability Company (“Mead Westvaco”) located at 1105 Herndon Street, N.W. Atlanta, Georgia is willing to donate additional right-of-way to the City of Atlanta (“City”) for the installation of a steel stain pole with traffic signal and relocation of a traffic control cabinet; and

WHEREAS, the City’s traffic signal currently is attached to a timber pole which has several other utility attachments; and

WHEREAS, the current location of the timber pole (as depicted in Exhibit “A”) has experienced collisions with large trucks leaving the Mead Westvaco facilities on Herndon Street; and

WHEREAS, the City desires to accept the donation by Mead Westvaco, at no cost to the City; and

WHEREAS, the Commissioner of the Department of Public Works has reviewed the plans for the proposed relocation and has determined that said plans are in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, as follows:

SECTION 1: That the Mayor or his designee is authorized, to accept on behalf of the Department of Public Works, and does hereby accept the donation of real property as depicted in Exhibit “B” and described in Exhibit “C” from Mead Westvaco.

SECTION 2: That the City Attorney is directed to prepare an agreement, acceptable as to form, for execution by the Mayor and Mead Westvaco.

SECTION 3: That to the extent that Mead Westvaco is donating time and resources to the City, the City hereby accepts the donation.

SECTION 4: That Mead Westvaco is responsible for removing the existing timber pole.

SECTION 5: All ordinances in conflict herewith are hereby waived for purposes of this Ordinance only, and only to the extent of said conflict.

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: CANDACE L. BYRD

Dept.'s Legislative Liaison: Santana Kempson Wright

Contact Number: (404) 330-6579

Originating Department: Department of Public Works

Committee(s) of Purview: Transportation Committee

Chief of Staff Deadline: June 6, 2014

Anticipated Committee Meeting Date(s): June 25 (1st read) and July 16, 2014 (2nd read)

Anticipated Full Council Date: July 21, 2014 (final action)

Legislative Counsel's Signature: Saul Schultz

Commissioner's Signature: [Signature]

Chief Financial Officer: N/A

Chief Information Officer Signature (for IT Procurements): N/A

Chief Procurement Officer Signature: N/A

CAPTION

AN ORDINANCE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, ON BEHALF OF THE CITY OF ATLANTA, TO ACCEPT A DONATION FROM MEAD WESTVACO PACKAGING SYSTEMS, LLC, A DELAWARE LIMITED LIABILITY COMPANY, OF A REAL ESTATE EASEMENT LOCATED IN THE SOUTHEAST QUADRANT OF WEST MARIETTA STREET, N.W. AND HERNDON STREET, N.W. IMMEDIATELY ADJACENT TO THE MEAD WESTVACO FACILITY TO INSTALL A STEEL STRAIN POLE FOR THE PURPOSE OF RELOCATING A TRAFFIC SIGNAL AND A TRAFFIC CONTROL CABINET; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT: N/A

Mayor's Staff Only

Received by CPO: _____ (date)

Received by LC from CPO: _____ (date)

Received by Mayor's Office: 6.9.14 [Signature] (date)

Reviewed by: [Signature] (date)

Submitted to Council: _____ (date)

**AN ORDINANCE
BY TRANSPORTATION COMMITTEE**

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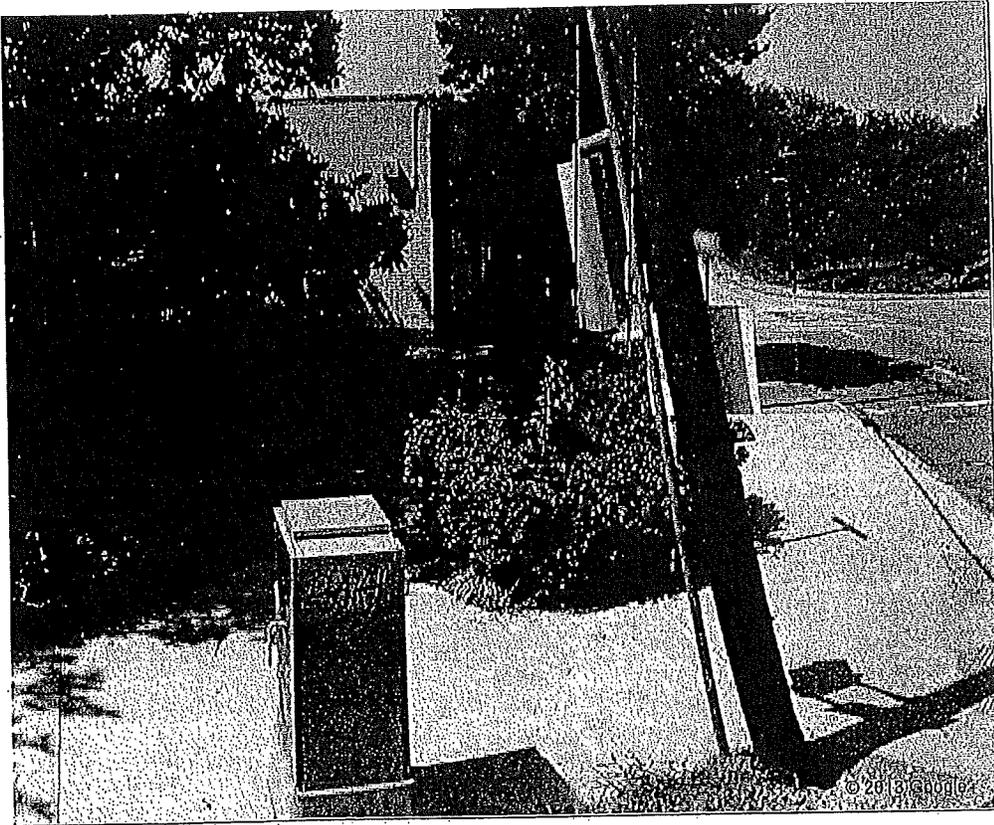
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EXHIBIT A

Google

Address West Marletta St NW & Herndon
St NW
West Marletta St NW & Herndon St NW
Atlanta, GA 30318



Attachment: Land Donation (14-O-1344 : Land Donation from Mead Westvaco for Traffic Signal/Control Cabinet Relocation)

Written Description

Permanent Maintenance Easement

All that tract or parcel of land lying and being in Land Lot 189 of the 17th District, City of Atlanta, Fulton County, Georgia and being more particularly described as follows:

Commencing at point along the right-of-way of the southeast intersection of West Marietta Street (60' right-of-way) and Herndon Street (60' right-of-way), said point being known as the point of beginning; Thence in an easterly direction South $80^{\circ}02'03''$ East a distance of 10' to a point; Thence South $36^{\circ}38'47''$ West a distance of 10.00' to a point; Thence North $80^{\circ}02'03''$ West a distance of 10.00' to a point; Thence North $36^{\circ}38'47''$ East to a point, said point being known at the true point of beginning.

Said Permanent Maintenance Easement containing .0021 acres

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Caption:

AN ORDINANCE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, ON BEHALF OF THE CITY OF ATLANTA, TO ACCEPT A DONATION FROM MEAD WESTVACO PACKAGING SYSTEMS, LLC, A DELAWARE LIMITED LIABILITY COMPANY, OF A REAL ESTATE EASEMENT LOCATED IN THE SOUTHEAST QUADRANT OF WEST MARIETTA STREET, N.W. AND HERNDON STREET, N.W. IMMEDIATELY ADJACENT TO THE MEAD WESTVACO FACILITY TO INSTALL A STEEL STRAIN POLE FOR THE PURPOSE OF RELOCATING A TRAFFIC SIGNAL AND A TRAFFIC CONTROL CABINET; AND FOR OTHER PURPOSES.

Committee of Purview: Transportation Committee

Committee Meeting Date: June 11 (1st read) and June 25, 2014 (2nd read)

Council Meeting Date: July 7, 2014 (final action)

Requesting Dept.: Department of Public Works

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

The purpose of this legislation is to accept real property that is being donated to the City for the relocation of a Traffic Control Cabinet and the installation of a steel strain pole.

2. Please provide background information regarding this legislation.

Currently the traffic signal is attached to a timber pole that is jointly used with other utilities. The location of the pole and cabinet is has been vulnerable to hits by large trucks exiting right from Herndon Street onto West Marietta Street. Mead Westvaco is donating a portion of property (0.0021 acres) to relocate the cabinet and pole to a safer area/location.

The movement of the existing pole would be the pole owner's responsibility; the City will remove its traffic signal from the pole and replace it on the newly installed strain pole. The City also will relocate the controller cabinet away from the adjacent travel lane to a safe clear zone area.

3. If Applicable/Known:

- (a) **Contract Type:** N/A
- (b) **Source Selection:** N/A
- (c) **Bids/Proposals Due:** N/A
- (d) **Invitations Issued:** N/A
- (e) **Number of Bids:** N/A
- (f) **Proposals Received:** N/A
- (g) **Bidders/Proponents:** N/A
- (h) **Term of Contract:** N/A

4. Fund Department Account Center: N/A

5. Source of Funds: N/A

6. Fiscal Impact: N/A

7. Method of Cost Recovery: N/A

This Legislative Request Form Was Prepared By: Ricky White

<p>(Do Not Write Above This Line)</p> <p>AN ORDINANCE BY TRANSPORTATION COMMITTEE</p> <p>AN ORDINANCE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, ON BEHALF OF THE CITY OF ATLANTA, TO ACCEPT A DONATION FROM MEAD WESTVACO PACKAGING SYSTEMS, LLC, A DELAWARE LIMITED LIABILITY COMPANY, OF A REAL ESTATE EASEMENT LOCATED IN THE SOUTHEAST QUADRANT OF WEST MARIETTA STREET, N.W. AND HERNDON STREET, N.W. IMMEDIATELY ADJACENT TO THE MEAD WESTVACO FACILITY TO INSTALL A STEEL STRAIN POLE FOR THE PURPOSE OF RELOCATING A TRAFFIC SIGNAL AND A TRAFFIC CONTROL CABINET; AND FOR OTHER PURPOSES.</p>	<p>First Reading</p> <p>Committee _____ Date _____ Chair _____ Referred To _____</p>	<p>FINAL COUNCIL ACTION</p> <p><input type="checkbox"/> 2nd <input type="checkbox"/> 1st & 2nd <input type="checkbox"/> 3rd Readings <input type="checkbox"/> Consent <input type="checkbox"/> V Vote <input type="checkbox"/> RC Vote</p> <p style="text-align: center;">CERTIFIED</p>
<p><input type="checkbox"/> CONSENT REFER</p> <p><input type="checkbox"/> REGULAR REPORT REFER</p> <p><input type="checkbox"/> ADVERTISE & REFER</p> <p><input type="checkbox"/> 1ST ADOPT 2ND READ & REFER</p> <p><input type="checkbox"/> PERSONAL PAPER REFER</p>	<p>Committee _____ Date _____ Chair _____ Action Fav, Adv, Hold (see rev. side) Other _____ Members _____</p>	<p>Committee _____ Date _____ Chair _____ Action Fav, Adv, Hold (see rev. side) Other _____ Members _____</p>
<p>Date Referred _____</p> <p>Referred To _____</p>	<p>Committee _____ Date _____ Chair _____ Action Fav, Adv, Hold (see rev. side) Other _____ Members _____</p>	<p>Committee _____ Date _____ Chair _____ Action Fav, Adv, Hold (see rev. side) Other _____ Members _____</p>
<p>MAYOR'S ACTION</p>		