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**ATLANTA CITY COUNCIL**

**AGENDA**

**Monday, March 4, 2002**

**The Honorable Cathy Woolard, Presiding**

**1:00 P. M.**

**Order of Business for the Atlanta City Council**

- 1. Call to Order**
- 2. Roll Call**
- 3. Invocation**
- 4. Pledge of Allegiance**
- 5. Proclamations, Commendations and other Special Awards**
- 6. Remarks by the Public**
- 7. Report of the Journal**
- 8. Communications**
- 9. Adoption of Agenda**
- 10. Consideration of Vetoed Legislation**
- 11. Unfinished Business**
- 12. Consent Agenda**
- 13. Report of Standing Committees Committee Chairs Page**

**Transportation Committee H. Lamar Willis 19**

**Zoning Committee Debi Starnes 20**

**Finance/Executive Committee Felicia A. Moore 27**

**Committee on Council\*\* Anne Fauver 31**

**City Utilities Committee Clair Muller 32**

**Community Development/Human**

**Resources Committee Cleta Winslow 34**

**Public Safety and Legal**

**Administration Committee\* Ceasar C. Mitchell 38**

**14. Personal Papers and General Remarks**

**15. Announcements**

**16. Adjournment: Roll Call**

**\* No Report**

**\*\* No Report at Time of Agenda Preparation**

## **C O N S E N T A G E N D A**

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 11.3, Consent Agenda; Rules for the Conduct of Business for the Council of the City of Atlanta.

### **SECTION I**

#### **ORDINANCES FOR SECOND READING**

##### **TRANSPORTATION COMMITTEE - H. LAMAR WILLIS, CHAIR**

**0200370 ( 1 )** An Ordinance by Councilmember Debi Starnes as amended by Transportation Committee authorizing the installation of five (5) parking meters with fifteen minute limits on the eastern side of Pryor Street between Alabama Street and Decatur Street; and for other purposes.

##### **FINANCE/EXECUTIVE COMMITTEE - FELICIA A. MOORE, CHAIR**

**0200155 ( 2 )** An Ordinance by Finance/Executive Committee amending the 2002 (1997 G. O. Public Improvement Bond) Budget in the amount of \$276,284.76 for storm drainage construction; and for other purposes.

**0200200 ( 3 )** An Amended Ordinance by Finance/Executive Committee amending the 2002 (1994 G. O. Referendum Bond Fund) Budget in the amount of \$702,917.82 for the purpose of funding the Bitsy Grant Tennis Center Erosion and Flood Control Project within the Flood and Erosion Control Category of the 1994 Public Improvement Program on behalf of the Department of Parks, Recreation and Cultural Affairs; and for other purposes.

**0200243 ( 4 )** An Ordinance by Councilmembers Carla Smith and Derrick Boazman as amended by Finance/Executive Committee authorizing the Mayor to execute an Intergovernmental Agreement by and between the Housing Authority of the City of Atlanta, Georgia ("The Authority") and the City of Atlanta pertaining to the performance of certain public improvements by the Authority for the benefit of the City of Atlanta; transferring appropriations in the amount of \$3,680,000.00 to fund a portion of said public improvements; and for other purposes.

#### **CONSENT AGENDA SECTION I (CONT'D)**

#### **ORDINANCES FOR SECOND READING (CONT'D)**

##### **FINANCE/EXECUTIVE COMMITTEE - FELICIA A. MOORE, CHAIR**

**0200364 ( 5 )** An Ordinance by Councilmembers Carla Smith and Derrick Boazman as amended by Finance/Executive Committee authorizing the Mayor to execute an Intergovernmental Agreement by and between the Housing Authority of the City of Atlanta, Georgia (the "Authority") and the City of Atlanta pertaining to the performance of certain public improvements by the Authority for the benefit of the City of Atlanta; transferring appropriations in the amount of \$950,000.00 to fund a portion of said public improvements; and for other purposes.

**0200374 ( 6 )** An Ordinance by Councilman C. T. Martin as amended by Finance/Executive Committee anticipating and appropriating the proceeds in the amount of \$55,195,000.00 from the Georgia Municipal Association, Inc., Installment Sale Program Certificates of Participation (City Court of Atlanta Project) Series 2002 Issue which closed on January 3, 2002; and for other purposes.

##### **CITY UTILITIES COMMITTEE - CLAIR MULLER, CHAIR**

**0200371 ( 7 )** An Ordinance by Councilmember Debi Starnes authorizing the Commissioner of Public Works, on behalf of the Mayor, to waive paragraph seven (7) of Section 138-60 of the Code of Ordinances of the City of Atlanta, for the issuance of a Banner Permit to the

National Collegiate Athletic Association (NCAA); and for other purposes.

**02O0372 ( 8)** An Ordinance by Councilmember Debi Starnes authorizing the Commissioner of Public Works, on behalf of the Mayor, to waive paragraph seven (7) of Section 138-60 of the Code of Ordinances of the City of Atlanta, for the issuance of a Banner Permit to the March of Dimes; and for other purposes.

**PUBLIC SAFETY AND LEGAL**

**ADMINISTRATION COMMITTEE - CEASAR C. MITCHELL, CHAIR**

**02O0249 ( 9)** An Ordinance by Councilmembers Clea Winslow, Carla Smith, Ceasar C. Mitchell and Mary Norwood amending Section 78-57 of the Code of Ordinances for the City of Atlanta in order to adjust Fire Permit Fees, and for other purposes.

**CONSENT AGENDA SECTION I (CONT'D)**

**ORDINANCES FOR SECOND READING (CONT'D)**

**PUBLIC SAFETY AND LEGAL**

**ADMINISTRATION COMMITTEE - CEASAR C. MITCHELL, CHAIR**

**02O0380 (10)** An Ordinance by Councilmembers Debi Starnes, Carla Smith and Ivory L. Young, Jr. as substituted by Public Safety and Legal Administration Committee to amend Sections 18-7 and 18-37 of the Code of Ordinances of the City of Atlanta so as to allow citizens to keep a Miniature Pot-Bellied Pig as a pet; and for other purposes.

**RESOLUTIONS**

**TRANSPORTATION COMMITTEE - H. LAMAR WILLIS, CHAIR**

**02R0348 ( 1)** A Resolution by Transportation Committee authorizing the Mayor to execute an agreement with College Park Power for the removal and relocation of three (3) distribution power lines, poles and related equipment necessitated by the construction of the Fifth Runway Project at Hartsfield Atlanta International Airport, for a cost to the City of a lump sum amount of \$1,449,365.00 for cost incurred by College Park Power in conjunction therewith; to be paid from Fund, Account and Center Number: 2H27 574001 R21E050693CG; and for other purposes.

**02R0350 ( 2)** A Resolution by Transportation Committee establishing the compensation limits for International Aviation Consultants, L.L.C. under Contract FC-7068-99, Program Management Services for the Hartsfield Development Program, during the third year of the term from February 1, 2002, through January 31, 2003, pursuant to the terms and conditions of the Contract, in an amount not to exceed \$19,300,000.00, to be charged to and paid from Fund, Account and Center Number: 2H21 524001 R21E10409999; and for other purposes.

**02R0387 ( 3)** A Resolution by Transportation Committee authorizing the Mayor or her designee to extend the Banking Service Contract with First Union National Bank at Atlanta Hartsfield International Airport on a day to day basis, for a period of four weeks time certain; and for other purposes.

**CONSENT AGENDA SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE - FELICIA A. MOORE, CHAIR**

**02R0199 ( 4)** An Amended Resolution by Finance/Executive Committee to authorize the Mayor to enter into an appropriate contractual agreement for FC-6958-98, Bitsy Grant Tennis Center Erosion and Flood Control Improvements with Phillips & Jordan, Inc., in an amount not to exceed \$959,178.00. All contracted work shall be charged to and paid from the following Fund, Account and Center Numbers: 1C33 574001 M221030292BC - \$415,082.18 and 1C39 574001 M22I030292BC- \$544,096.02.

**02R0209 ( 5)** An Amended Resolution by Finance/Executive Committee authorizing the Mayor to enter into Renewal Agreement No. 1 with Shaw's Body Shop, Inc., for FC-6975-97, Automotive Body and Frame Repairs; on behalf of the Department of Administrative Services, for an amount not to exceed \$50,000.00; all contracted work to be charged to and paid from Fund, Account and Center Number: 2M01 523001 G62001.

**02R0353 ( 6)** A Resolution by Finance/Executive Committee to authorize the acceptance of monies from Citizens and Developers removing trees in the City of Atlanta as a means to recompense for the loss of said trees when replacing trees on property is not feasible; and to authorize the Chief Financial Officer to establish a Tree Trust Fund to which said contributions shall be deposited; and for other purposes.

**02R0367 ( 7)** A Resolution by Councilmember Jim Maddox to oppose House Bill 1248 which decreases the membership of the Atlanta/Fulton County Library Board of Trustees from seventeen (17) to seven (7); and for other purposes.

**02R0383 ( 8)** A Resolution by Councilmember Cleta Winslow as amended by Finance/Executive Committee authorizing the Mayor to execute a Replacement Warranty Deed conveying property titled in the name of the City of Atlanta (said property being known as Disposition Parcel 15, Area 3, of the then designated Model Cities Urban Redevelopment Area (the current address being 388 Glenn Street, SW) to Greater Mount Calvary Baptist Church, the execution of said replacement warranty deed being necessary due to the fact that the original warranty deed has been lost and cannot be found in the City's records; to rescind conflicting resolutions; and for other purposes.

**CONSENT AGENDA SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE - FELICIA A. MOORE, CHAIR**

**02R0386 ( 9)** An Amended Resolution by Finance/Executive Committee expressing the intent of the Atlanta City Council that the proceeds of the General Obligation Public Improvement Bonds Quality of Life sales be distributed equally among the twelve City Council Districts; and for other purposes.

**CITY UTILITIES COMMITTEE - CLAIR MULLER, CHAIR**

**02R0327 (10)** A Resolution by City Utilities Committee authorizing the Mayor or her designee to place a manhole on the brick trunk in Centennial Olympic Park Drive to serve property located at 121 Baker Street as requested by the property owner.

**02 R-0328 (11)** A Resolution by City Utilities Committee authorizing the Mayor to execute a Local Assistance Road Program Agreement for Project No. LAU 32-8532-79 (121), for the purpose of resurfacing city streets; and for other purposes.

**02R0329 (12)** A Resolution by City Utilities Committee authorizing the Mayor to execute a Local Assistance Road Program Agreement for Project No. LAU 32-8531-82 (089), for the purpose of resurfacing city streets; and for other purposes.

**02R0330 (13)** A Resolution by City Utilities Committee authorizing the Mayor or her designee to enter into an appropriate contractual agreement with WWPS, Inc. for FC-7357-01, Hemphill Water Treatment Plant Clearwell #1 Remediation/Leakage Repair on behalf of the Department of Water in amount not to exceed \$1,427,008.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2J26 574001 Q24J05029999.

**02R0331 (14)** A Resolution by City Utilities Committee authorizing the Mayor or her designee to approve a Notice to Proceed with Jordan, Jones and Goulding, Inc./Engineering Design Technologies, Inc., JV for FC-6710-96D, Annual Contract for Architectural and Engineering Services to provide Civil Engineering Services for Intersection Improvement Project at Cheshire Bridge Road and Lindbergh Drive in an amount not to exceed \$128,120.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 1C28 574001 M23F01719985.

**CONSENT AGENDA SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**CITY UTILITIES COMMITTEE - CLAIR MULLER, CHAIR**

**02R0333 (15)** A Resolution by City Utilities Committee authorizing the Mayor to enter into an appropriate contractual agreement with Greenville Rooter, Inc., for FC-6820-97, Tenth Ward Sanitary Sewer Improvements, Phase II, Contract 4, in an amount not to exceed \$986,198.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2J26 573001 M24I02469999.

**02R0334 (16)** A Resolution by City Utilities Committee authorizing the purchase of property located at 750 Selig Drive, from M. D. Hodges Enterprises, Inc. for the Utoy Creek Water Reclamation Center Improvements Project located in Land Lot 82 of the 14FF District, Fulton County, Georgia.

**COMMUNITY DEVELOPMENT/HUMAN**

**RESOURCES COMMITTEE - CLETA WINSLOW, CHAIR**

**02R0339 (17)** A Resolution by Community Development/Human Resources Committee authorizing the Mayor to enter into a Lease Agreement with the Northside Youth Organization, Inc. for the purpose of joint use of certain fields, the gymnasium, buildings and other facilities as a recreational facility located in the Chastain Park on behalf of the Department of Parks, Recreation and Cultural Affairs.

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE - CEASAR C. MITCHELL, CHAIR**

**02R0325 (18)** A Resolution by Public Safety and Legal Administration Committee authorizing the settlement of the claim of USAA as subrogee of Myron Shultz in the amount of \$10,000.00, against the City of Atlanta arising from two sewer backups.

**02R0326 (19)** A Resolution by Public Safety and Legal Administration Committee authorizing payment in the amount of \$2,971.00 to Mark W. Wagner in settlement of his claim against the City of Atlanta.

**02R0345 (20)** A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to extend a Lease Agreement with

the Georgia Tech Foundation Real Estate Holding Corporation, for the rental of 2,665 square feet of office space located at 398 Techwood Drive, Atlanta, Georgia, for the Police Zone Five Mini Precinct, from April 1, 2002 until March 31, 2003, in the amount not to exceed \$1 a year, to be charged and paid from Account Number 1A01 525001 X25001.

**CONSENT AGENDA SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE - CEASAR C. MITCHELL, CHAIR**

**02R0203 (21)** A Resolution by Public Safety and Legal Administration Committee authorizing payment in the amount of \$2,436.86 in settlement of the claim of Morris Smith, through his attorney, Colette R. Steel against the City of Atlanta.

**02R0365 (22)** A Resolution by Councilmember Ivory L. Young, Jr. authorizing the Mayor to execute a Memorandum of Understanding on behalf of the City of Atlanta, among the City, Atlanta High Intensity Drug Trafficking Area, the Metro Atlanta Crime Commission and the Georgia National Guard to provide for the demolition of residential dwellings identified as drug havens/crack houses located in the English Avenue Community, at no cost to the city; and for other purposes.

**Claims with Favorable Recommendations:**

**02R0315 (1)** Claim of Stuart Bailey, for damages alleged to have been sustained as a result of a vehicular accident on January 14, 2002 at 23 Claire Drive. \$2,000.00

**02R0316 (2)** Claim of Progressive Insurance Company as subrogee of Franklin D. Long, for damages alleged to have been sustained as a result of a vehicular accident on November 19, 2001 at Moreland and Seaboard Avenues. \$2,000.00

**02R0317 (3)** Claim of Gloria Faye Barnes, for damages alleged to have been sustained as a result of tripping and falling on a sidewalk on September 27, 2001 at Marietta and Cone Streets. \$1,328.05

**02R0318 (4)** Claim of Huda Abdullah, for damages alleged to have been sustained as a result of a vehicular accident on January 10, 2002 at Campbellton Road and Ryan Street, SW. \$2,000.00

**02R0319 (5)** Claim of Christopher Lowell Brown, for damages alleged to have been sustained as a result of a pothole that was located in the roadway on June 15, 2001 at 3369 Lenox Road, NE.

\$1,442.02

**CONSENT AGENDA SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE - CEASAR C. MITCHELL, CHAIR**

**Claims with Favorable Recommendations:**

**02R0320 (6)** Claim of Mary F. Evans, for damages alleged to have been sustained as a result of an automobile accident on December 12, 2001 at Ponce de Leon Avenue and Briarcliff Avenue.

\$871.90

**02R0321 (7)** Claim of Farm Bureau of Georgia as Subrogee of Robert Nelson, for damages alleged to have been sustained as a result of a vehicular accident on December 4, 2001 at Decatur and Hill Streets, SE. \$2,000.00

**02R0322 (8)** Claim of Willie R. Primm, for damages alleged to have been sustained as a result of a metal plate that was not properly covering a construction cut on September 25, 2001 at Ralph David Abernathy Boulevard and Evans Street. \$1,050.00

**02R0323 (9)** Claim of Joseph Flagg, for damages alleged to have been sustained as a result of a sewer backup on January 16, 2001 at 2891 Diana Drive, SW. \$1,193.68

**02R0284 (10)** Claim of Progressive Insurance Company as subrogee of insured, Cameron Watson, for damages alleged to have been sustained from a broken storm drain that was located in the roadway on February 24, 2000 at Centennial Olympic Park and Nelson Street, SW.

**02R0285 (11)** Claim of Cameron Watson, for damages alleged to have been sustained as a result of a broken storm drain that was located in the roadway on February 24, 2000 at Centennial Olympic Drive and Nelson Street, SW.

**02R0286 (12)** Claim of Travelers Property Casualty Group, as subrogee of Donald Johnson, for damages alleged to have been sustained as a

result of an automobile accident due to a missing stop sign on April 24, 1999 at Allegheny Street, SW and Rochelle Drive.

**02R0287 (13)** Claim of Enterprise Rent-A-Car, for damages alleged to have been sustained as a result of a vehicular accident on November 24, 2001 at North Avenue and Peachtree Street.

**CONSENT AGENDA SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE - CEASAR C. MITCHELL, CHAIR**

**Claims with Unfavorable Recommendations:**

**02R0288 (14)** Claim of David Penfield, through his insurance carrier, Windsor Auto, for damages alleged to have been sustained as a result of a vehicular accident on November 24, 2001 at North Avenue and Peachtree Street.

**02R0289 (15)** Claim of Kathleen Grindle, for damages alleged to have been sustained as a result of striking a piece of broken curbing in the roadway on January 30, 2002 at 350 Moreland Avenue, NE.

**02R0290 (16)** Claim of Catherine Daniels, through her attorney, Jack Perlmutter, for damages alleged to have been sustained as a result of personal injuries due to an undisclosed event on November 21, 2000 at the Atlanta Airport.

**02R0291 (17)** Claim of Andre Harris, for damages alleged to have been sustained as a result of vehicular damage due to a pothole in the roadway on January 19, 2002 at North Druid Hills Road at Buford Highway.

**02R0292 (18)** Claim of Kouame Marc, individually and parent of Belly Marc, a minor, through their attorney, William D. Holman, for damages alleged to have been sustained as a result of a vehicular accident on October 13, 2001 at Metropolitan Parkway and Fair Drive.

**02R0293 (19)** Claim of Angela D. Burris, for damages alleged to have been sustained as a result of driving over a bump in the roadway on October 18, 2001 at Peters and Fair Streets, SW.

**02R0294 (20)** Claim of Evelyn Huggins, for damages alleged to have been sustained as a result of driving over a bump in the roadway on November 28, 2001 at 244 Peters Street, SW.

**02R0295 (21)** Claim of United Services Automobile Association, as subrogee of Daron Deon Cheney, for damages alleged to have been sustained as a result of a vehicular accident on March 14, 2001 at 2555 Bolton Road, NW.

**CONSENT AGENDA SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE - CEASAR C. MITCHELL, CHAIR**

**Claims with Unfavorable Recommendations:**

**02R0296 (22)** Claim of 270 L.P. and 270 Properties, Inc., through their attorney, Stephen Dermer, for damages alleged to have been sustained as a result of property damage due to a sewer backup on April 1-2, 2000 at 271 Spring Street.

**02R0297 (23)** Claim of Hau T. Pham, through his insurance carrier State Farm Insurance Company, for damages alleged to have been sustained as a result of a vehicular accident on July 28, 2001 at Medlock Bridge Road and Old Alabama Road.

**02R0298 (24)** Claim of Robin Waldorf, through her attorney, Jeffrey Flynn, for damages alleged to have been sustained as a result of a vehicular accident on September 26, 2001 at Memorial Drive and Abernathy Street.

**02R0299 (25)** Claim of Willis Jackson, for damages alleged to have been sustained as a result of driving over unsecured construction plates in the roadway on October 26, 2001 at Marietta Boulevard and Fairlie Street.

**02R0301 (26)** Claim of Clara Horaj, through her attorney, Patrick J. Walsh, for damages alleged to have been sustained as a result of personal injuries due to a fall at the Atlanta Airport on March 14, 2001.

**02R0302 (27)** Claim of Patricia Gieseler, for damages alleged to have been sustained as a result of personal injuries due to an incident with a cleaning contractor on December 28, 2001 at the Atlanta Airport.



**02R0303 (28)** Claim of Coach, Inc., through its insurance carrier, Sedgewick Claims Management Services, Inc., for damages alleged to have been sustained as a result of a vehicular accident on July 23, 2001 at Courtland Street and Ralph McGill Boulevard.

**CONSENT AGENDA SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE - CEASAR C. MITCHELL, CHAIR**

**Claims with Unfavorable Recommendations:**

**02R0304 (29)** Claim of Timothy Sean Fogarty, Reg. No. 35622-019, Jesup Federal Correctional Institution, for damages alleged to have been sustained as a result of violation of his civil rights resulting in exposure to environmental tobacco smoke during an incarceration from May 1999 through March 2000 at the Atlanta City Detention Center.

**02R0305 (30)** Claim of Brandon Elliott, for damages alleged to have been sustained as a result of being repeatedly slammed to the trunk of a vehicle by a police officer during a routine traffic stop on November 22, 2001 at Barrett Parkway and Highway 41.

**02R0306 (31)** Claim of Juan Anzora, for damages alleged to have been sustained as a result of a vehicle driving over a manhole that was under construction on May 17, 2001 at 3733 Peachtree

Road, NE.

**02R0307 (32)** Claim of Jeff Davis, for damages alleged to have been sustained as a result of a vehicle driving over a manhole that was elevated higher than the street surface on May 18, 2001 on Piedmont Avenue.

**02R0308 (33)** Claim of Prince West, for damages alleged to have been sustained as a result of a stolen vehicle that was being pursued by police struck a fence, mailbox, and ruined landscaping on November 29, 2001 at 1663 Mary George Avenue, NW.

**02R0309 (34)** Claim of Ken Morrison, individually, and his capacity as a representative of the Estate of Josephine Morrison, deceased, through his attorney, Randall F. Rogers, Esq., for damages alleged to have been sustained as a result of a vehicular accident on May 12, 2001 at Glendridge Drive and Interstate 285.

**02R0310 (35)** Claim of Jacques W. LeGette, for damages alleged to have been sustained as a result of a vehicle driven over a construction site in the roadway that was partially covered on November 5, 2001 at 3024 Peachtree Road, NE.

**CONSENT AGENDA SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE - CEASAR C. MITCHELL, CHAIR**

**Claims with Unfavorable Recommendations:**

**02R0311 (36)** Claim of Rahul Gogate, through his attorney, Howard Manchel, Esq., & Mark Spix, Esq., for damages alleged to have been sustained as a result of being unjustly attacked by a police officer that was on duty at an authorized security job on June 15, 2001 at 225 Pharr Road, NE.

**02R0312 (37)** Claim of Jason C. Barnes, for damages alleged to have been sustained as a result of a police officer using excessive force during a false arrest and imprisonment incident on February 4, 2001 at Bankhead Highway, NW.

**02R0313 (38)** Claim of Orlando Taylor, for damages alleged to have been sustained as a result of a construction cut that was left open and in an unsafe condition on March 4, 2001 at the intersection of Peachtree Road, NE and Terrace Drive, NE.

**02R0314 (39)** Claim of GEICO Direct, as subrogee of insured Danny Williams, for damages alleged to have been sustained as a result of an automobile accident that occurred on May 3, 2001 at 3909 Campbellton Road, SW.

**CONSENT AGENDA SECTION II**

**ORDINANCES FOR FIRST READING**

**TRANSPORTATION COMMITTEE - H. LAMAR WILLIS, CHAIR**

**02O0352 ( 1)** An Ordinance by Transportation Committee authorizing the Mayor to accept two grants from Atlanta Regional Commission (ARC) to conduct separate Livable Community Initiatives Studies (LCI) for the Hamilton Holmes MARTA Station Area and the Bolton Road Project Area; and authorizing the Mayor to sign a Contract Agreement with ARC for each study; and transferring to and from appropriations in the General Government Capital Outlay Fund \$37,000.00 to provide the City of Atlanta's Matching Funds Obligation and increasing estimated receipts in the 2002 Intergovernmental Grant Fund by \$148,000.00; and for other purposes.

**TO BE REFERRED TO TRANSPORTATION COMMITTEE**

**CITY UTILITIES COMMITTEE - CLAIR MULLER, CHAIR**

**0200335 ( 2)** An Ordinance by City Utilities Committee to amend the City of Atlanta Code of Ordinances, Chapter 74, Article VI Flood Area Regulations; and for other purposes.

**TO BE REFERRED TO CITY UTILITIES COMMITTEE**

**0200336 ( 3)** An Ordinance by City Utilities Committee to abandon a portion of the right-of-way of Englewood Avenue said portion being approximately 0.354 acre in area, running between Chadwick Street and Milton Terrace a distance of approximately 197 feet and located in Land Lot 55 & 56 of the 14<sup>th</sup> District, Fulton County, Georgia; and for other purposes. (Advertised for a Public Hearing 3/12/02 at 9:00 a. m. in Committee Room #2)

**TO BE REFERRED TO CITY UTILITIES COMMITTEE**

**CONSENT AGENDA SECTION II (CONT'D)**

**ORDINANCES FOR FIRST READING (CONT'D)**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE - CLETA WINSLOW, CHAIR**

**0200277 ( 4)** CDP-02-01 An Ordinance by Community Development/Human Resources Committee to amend the Land Use Element of the City of Atlanta 2002 Comprehensive Development Plan (CDP) so as to re-designate property that is located at 3217-3269 Browns Mill Road, SE, from the "Industrial" Land Use Designation to the "Mixed Use" Land Use Designation; and for other purposes.

NPU-Z Council District 12

**TO BE REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

**0200278 ( 5)** CDP-02-02 An Ordinance by Community Development/Human Resources Committee to amend the Land Use Element of the City of Atlanta 2002 Comprehensive Development Plan (CDP) so as to re-designate property that is located at 130 and 215 Arizona Avenue, NE, from the "Industrial" Land Use Designation to the "Low Density Commercial" Land Use Designation; and for other purposes.

NPU-O Council District 5

**TO BE REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

**0200279 ( 6)** CDP-02-03 An Ordinance by Community Development/Human Resources Committee to amend the Land Use Element of the City of Atlanta 2002 Comprehensive Development Plan (CDP) so as to re-designate property that is located at 514-540 Moreland Avenue, NE, From the "Low Density Residential" Land Use Designation to the "Mixed Use" Land Use Designation; and for other purposes.

NPU-N Council District 2

**TO BE REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

**CONSENT AGENDA SECTION II (CONT'D)**

**ORDINANCES FOR FIRST READING (CONT'D)**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE - CLETA WINSLOW, CHAIR**

**0200280 ( 7)** CDP-02-04 An Ordinance by Community Development/Human Resources Committee to amend the Land Use Element of the City of Atlanta 2002 Comprehensive Development Plan (CDP) so as to re-designate property that is located at 806 Murphy Avenue, SW, from the "Industrial" Land Use Designation to the "Low Density Commercial" Land Use Designation; and for other purposes.

NPU-V Council District 4

**TO BE REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

**0200281 ( 8)** CDP-02-05 An Ordinance by Community Development/Human Resources Committee to amend the Land Use Element of the City of Atlanta 2002 Comprehensive Development Plan (CDP) so as to re-designate property that is located at 882-966 Marietta Street, NW, from the "Industrial" Land Use Designation to the "Mixed Use" Land Use Designation; and for other purposes.

NPU-E Council District 3

**TO BE REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

**0200282 ( 9)** CDP-02-06 An Ordinance by Community Development/Human Resources Committee to amend the Land Use Element of the



City of Atlanta 2002 Comprehensive Development Plan (CDP) so as to re-designate property that is located at 585 Ezzard Street, SE, from the "Low Density Residential" Land Use Designation to the "Low Density Commercial" Land Use Designation; and for other purposes.

NPU-M Council District 2

TO BE REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

CONSENT AGENDA SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN

RESOURCES COMMITTEE - CLETA WINSLOW, CHAIR

**02O0283 (10) CDP-02-07** An Ordinance by Community Development/Human Resources Committee to amend the Land Use Element of the City of Atlanta 2002 Comprehensive Development Plan (CDP) so as to re-designate property that is located at 1023 Dill Avenue, SW, from the "Single Family Residential" Land Use Designation to the "Low Density Commercial" Land Use Designation; and for other purposes.

NPU-X Council District 12

TO BE REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

**02O0342 (11)** An Ordinance by Community Development/Human Resources Committee providing procedures for enforcing standards for collecting, handling, storing and disposing of scrap tires in the City of Atlanta; and for other purposes.

TO BE REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

**02O0343 (12)** An Ordinance by Community Development/Human Resources Committee authorizing the Mayor to direct the Department of Planning, Development and Neighborhood Conservation (Bureau of Neighborhood Conservation) to demolish and clean the premises of various structures, pursuant to Article III of the Atlanta Housing Code and a hearing conducted by the In Rem Review Board on January 31, 2002.

683 D'Alvigney Street, NW 03

696 English Avenue, NW 03

33 Gould Street, SE 01

1344 Simpson Road, NW 03

TO BE REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

CONSENT AGENDA SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE - CLETA WINSLOW, CHAIR

**02O0344 (13)** An Ordinance by Community Development/Human Resources Committee authorizing the Mayor to direct the Department of Planning, Development and Neighborhood Conservation (Bureau of Neighborhood Conservation) to clean the premises and close the various structures, pursuant to Article III of the Atlanta Housing Code and a hearing conducted by the in Rem Review Board on January 31, 2002.

2099 Claude Street, NW 09

997 Dunning Street, SE 02

86 Mortimer Street, SE 05

216 Newport Street, NW 03

TO BE REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

**02O0378 (14)** An Ordinance by Community Development/Human Resources Committee anticipating and appropriating \$240,000.00 in the 2002 (Community Development Fund) Budget to fund CD-730, Youth Recreation Program under the Social Service category of the 2002 Community Development Block Grant (CDBG) Program; and for other purposes.

TO BE REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

PUBLIC SAFETY AND LEGAL

**ADMINISTRATION COMMITTEE - CEASAR C. MITCHELL, CHAIR**

**02O0324 (15)** An Ordinance by Public Safety and Legal Administration Committee authorizing the settlement of the claim of Susan Chana Elliott in an amount not to exceed \$3,115.80 authorizing the Chief Financial Officer to disburse the settlement amount; to waive City of Atlanta Code of Ordinances Sections 2-4 and 2-783 for this instance only; and for other purposes.

**TO BE REFERRED TO PUBLIC SAFETY AND LEGAL**

**ADMINISTRATION COMMITTEE**

**CONSENT AGENDA SECTION II (CONT'D)**

**ORDINANCES FOR FIRST READING (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE - CEASAR C. MITCHELL, CHAIR**

**02O0346 (16)** An Ordinance by Public Safety and Legal Administration Committee amending the 2002 (Intergovernmental Grant Fund) Budget, Judicial Agencies, by adding to anticipations and appropriation in the amount of \$46,667.00 from the Criminal Justice Coordinating Council (CJCC) for the purpose of providing temporary protective services for victims of domestic violence; and for other purposes.

**TO BE REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

**TRANSPORTATION COMMITTEE H. LAMAR WILLIS, CHAIR**

**RESOLUTION**

**02R0347 (1)** A Resolution by Transportation Committee authorizing the Mayor to enter into an appropriate contractual agreement with Logistic Systems, Inc., for the upgrade of the Computer Aided Dispatch (CAD) System at Hartsfield Atlanta International Airport on behalf of the Department of Aviation in an amount not to exceed \$141,339.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2H21 575001 X24002.  
**FAVORABLE - (1 ABSTENTION)**

**PAPERS HELD IN COMMITTEE**

**02O0254 (1)** An Ordinance by Councilmembers H. Lamar Willis, Ceasar C. Mitchell and Howard Shook as substituted by Transportation Committee authorizing the Mayor to execute agreements with the Georgia Department of Transportation concerning the funding of four Transportation Corridor Studies; authorizing the disbursement of the City's portion of the local matching component; directing the Bureau of Planning and the Bureau of Purchasing and Real Estate to implement the Transportation Corridor Studies; and for other purposes. (Held 2/13/02)

**02R0349 (2)** A Resolution by Transportation Committee authorizing the Mayor to enter into an appropriate contractual agreement with Department of Transportation State of Georgia on behalf of the Department of Aviation in an amount not to exceed \$750,000.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2H21 561001 R21001; and for other purposes. (Held 2/27/02)

**02R0379 (3)** A Resolution by Councilmember Derrick Boazman to re-bid the Airport Banking Services Contract; and for other purposes. (Held 2/27/02)

**MEMBERS PRESENT: WILLIS, MARTIN, SHOOK, MOORE, SMITH, FAUVER & BOAZMAN**

**ZONING COMMITTEE DEBI STARNES, CHAIR**

**ZRB SUMMARY REPORT**

**FAVORABLE**

<b>02-O-0051</b>	Z-01-97	1150 Peachtree St., NE (E-6)	C-4 to C-4/LBS	Approval	Defer	Favorable
<b>02-O-0114</b>	U-01-57	181 Flat Shoals Ave., SE (N-5)	Community Recreational Facility	Approval	Approval	Favorable

<a href="#"><u>02-O-0115</u></a>	U-01-58	3050 Cascade Rd., SW (I-11)	Day Care Center	Approval - Conditional	Approval	Favorable
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<a href="#"><u>02-O-0116</u></a>	U-01-59	327 Saint Paul Ave., SE (W-1)	Community Service Facility	Approval - Conditional	Approval	Favorable
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**FAVORABLE ON**

**SUBSTITUTE**

<a href="#"><u>02-O-0106</u></a>	Z-01-95	2030 Rockledge St., NE (F-6)	R-4 to R-LC-C	Approval	Approval – Conditional	Favorable on Substitute
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**FAVORABLE ON**

**SUBSTITUTE AS AMENDED**

<a href="#"><u>02-O-0045</u></a>	Z-01-71	McDonough Blvd., SE (Z-1)	R-4 to PD-H	Approval	Approval	Favorable
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<a href="#"><u>02-O-0049</u></a>	Z-01-63	460 Patterson Ave., SE (W-5)	R-4 to R-4A-C	Denial	Approval	Favorable on Substitute
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**ADVERSE**

<a href="#"><u>02-O-0047</u></a>	Z-01-80	514-540 Moreland Ave., NE (N-2)	R-5 to PD-MU*	Approval - Conditional	Denial	Adverse
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<a href="#"><u>02-O-0052</u></a>	U-01-44	3557 Valeland Ave., SW (P-11)	Rehabilitation Center	Denial	Denial	Adverse
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**HELD**

<a href="#"><u>02-O-0108</u></a>	Z-01-99	882-966 Marietta St., NW (E-3)	I-2 to PD-MU*	Approval	Approval - Conditional	Favorable
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<a href="#"><u>02-O-0109</u></a>	Z-01-100	585 Ezzard St., SE (M-2)	R-5 to C-2*	Approval	Approval	Favorable
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**HELD (CONT'D)**

<a href="#"><u>02-O-0111</u></a>	Z-01-102	1023 Dill Ave., SW (X-12)	R-4 to R-LC-C*	Approval - Conditional	Approval - Conditional	Favorable
<a href="#"><u>02-O-0044</u></a>	Z-01-78	Text Amendment		Approval on Substitute	See Attached List	Favorable on Substitute
<a href="#"><u>02-O-0050</u></a>	Z-01-96	Inman Park Historic District (N-2)		Approval on Substitute	Approval	Favorable on Substitute

**ORDINANCES FOR SECOND READING**

**02O0054 (1)** U-01-49 An Ordinance by Councilmember Debi Starnes granting a Special Use Permit for a Telecommunications Tower (Co-Location) (Section 16-16.005(1) (h)), property located at 2370 (a.k.a. 2392) Verbena Street, SW, fronting 627.68 feet on the south side of Verbena Street beginning at the southwest corner of Fairfield Place.

Depth: Varies  
Area: 3.83 Acres

Land Lot: 180, 14<sup>th</sup> District, Fulton County, Georgia

Owner: Heritage Propane

Applicant: Group EMF, Inc. Agent for Metro PCS Georgia, Inc.

NPU-J Council District 3

**FILED**

**02O0055 (2)** U-01-50 An Ordinance by Councilmember Debi Starnes granting a Special Use Permit for a Telecommunications Tower (Co-Location) (Section 16-07.005 (1) (i), property located at 1689 (a.k.a. 1669-1671) Pryor Road, SW, fronting approximately 325 feet on the west side of Pryor Road beginning at the northwest corner of Hipp Street.

Depth: 373.05 Feet

Area: 2.70 Acres

Land Lot: 72, 14<sup>th</sup> District, Fulton County, Georgia

Owner: Kim Jong

Applicant: Group EMF, Inc., Agent for Metro PCS of Georgia

NPU-Y Council District 12

**FILED**

**ORDINANCES FOR FIRST READING**

**02O0356 ( 1)** Z-02-05/Z-99-02 An Ordinance by Zoning Committee to amend Ordinance Z- 99-02, adopted by City Council April 5, 1999 and approved by Operation of Law April 13, 1999, rezoning from the RG-2 (Residential General-Sector 2) District to the RG-3-C (Residential General-Sector 3-Conditional) District, property located at 3655 Peachtree Road, NE, for the purpose of approving a Revised Site Plan and Change of Conditions.

Owner: Fred Filsoof

Applicant: David Green

NPU-B Council District 7

**REFERRED TO ZRB AND ZONING COMMITTEE**

**ZONING COMMITTEE (2) DEBI STARNES, CHAIR**

**ORDINANCES FOR FIRST READING (CONT'D)**

**02O0357 ( 2)** Z-02-04 An Ordinance by Zoning Committee to rezone from the R-4A (Single-Family Residential) District to the RG-3 (Residential General-Sector 3) District, property located at the rear of 1780 Metropolitan Parkway, SW (a.k.a. 1914, 1922 and 1970 Metropolitan Parkway and Various Additional Addresses). Property has no frontage on Metropolitan Parkway, but has various frontages on

**Leola Street, Spring Place, Climax Place, Adams Street and Saint Johns Avenue.**

**Depth: Varies**

**Area: Approximately 15 Acres**

**Land Lot: 90, 14<sup>th</sup> District, Fulton County, Georgia**

**Owner: Bertrand M. Parks**

**Applicant: David H. Dixon**

**By: Carl E. Westmoreland, Jr., Esq., Attorney**

**NPU-X Council District 12**

**REFERRED TO ZRB AND ZONING COMMITTEE**

**0200358 (3) Z-02-03/Z-84-52 An Ordinance by Zoning Committee to amend Ordinance Z- 84-52, adopted by City Council August 6, 1984 and approved by the Mayor August 8, 1984, rezoning from the C-3 (Commercial-Residential) District to the PD-OC (Planned Development-Office Commercial) District, property located at 3060 Peachtree Road, NW, for the purpose of approving a Revised Site Plan and Change of Conditions.**

**Owner: Buckhead Plaza Land Trust**

**Applicant: Realty Development Corporation**

**By: Nathan V. Hendricks III, Esq., Attorney**

**NPU-B Council District 8**

**REFERRED TO ZRB AND ZONING COMMITTEE**

**0200359 (4) Z-02-02/Z-84-52 An Ordinance by Zoning Committee to amend Ordinance Z-84-52, adopted by City Council August 6, 1984 and approved by the Mayor August 8, 1984, rezoning from the C-3 (Commercial-Residential) District to the PD-OC (Planned Development-Office Commercial) District, property located at 3060 Peachtree Road, NW, for the purpose of approving a Revised Site Plan and Change of Conditions.**

**Owner: Buckhead Plaza Land Trust**

**Applicant: Stafford Plaza LLC and TCRA Properties**

**By: Carl E. Westmoreland, Esq., Attorney**

**NPU-B Council District 8**

**REFERRED TO ZRB AND ZONING COMMITTEE**

**ZONING COMMITTEE (3) DEBI STARNES, CHAIR**

**ORDINANCES FOR FIRST READING (CONT'D)**

**0200360 (5) Z-02-01/Z-86-34 An Ordinance by Zoning Committee to amend Ordinance Z- 86-34, adopted by City Council July 7, 1986 and approved by the Mayor July 8, 1986, rezoning from the C-3 (Commercial-Residential) and C-1-C (Community Business-Conditional) Districts to the PD-OC (Planned Development-Office Commercial) District, property located at 3260-3316 Peachtree Road, NE and 3317 and 3349 Piedmont Road, NE, for the purpose of approving a Revised Site Plan and Change of Conditions.**

**Owner: BRE/Atlanta LLC**

**Applicant: Same**

**By: Charles F. Palmer, Esq., Attorney**

**NPU-B Council District 7**

**REFERRED TO ZRB AND ZONING COMMITTEE**

**0200354 (6) U-02-03 An Ordinance by Zoning Committee granting a Special Use Permit for a Church (Section 16-07,005(1)(c)), property**

located at 956-978 Metropolitan Parkway, SW/597-603 Arthur Street, SW/ 951-967 Dewey Street, SW, fronting 255 feet on the north side of Arthur Street beginning at the northeast corner of Metropolitan Parkway.

Depth: Varies

Area: 1.626 Acres

Land Lot: 87, 14<sup>th</sup> District, Fulton County, Georgia

Owner: The Salvation Army, A Georgia Corporation

Applicant: Same

NPU-V Council District 4

REFERRED TO ZRB AND ZONING COMMITTEE

0200355 (7) U-02-02 An Ordinance by Zoning Committee granting a Special Use Permit for a Truck Terminal (Section 16-17.005(1)(p)), property located at 1045 South River Industrial Boulevard, SE, fronting 558.59 feet on the east side of Forest Park Road beginning at the southeast corner of South River Industrial Boulevard.

Depth: 864.86 Feet

Area: 10.138 Acres

Land Lot: 5, 14<sup>th</sup> District, Fulton County, Georgia

Owner: The 4M Operating Corp.

Applicant: Benton Express, Inc.

By: Stephen F. Fusco Esq., Attorney

NPU-Z Council District 1

REFERRED TO ZRB AND ZONING COMMITTEE

ZONING COMMITTEE (4) DEBI STARNES, CHAIR

PAPERS HELD IN COMMITTEE

0200040 (1) Z-01-76 A Substitute Ordinance by Zoning Committee to amend the 1982 Zoning Ordinance of the City of Atlanta by creating a new chapter to be entitled Chapter 33, LW (Live Work) District Regulations and to amend Chapter 16-28A.010 by adding a new Subsection (39) LW (Live Work) District; and for other purposes. (Held 1/30/02)

0200041 (2) Z-01-77 A Substitute Ordinance by Zoning Committee to amend the 1982 Zoning Ordinance of the City of Atlanta by creating a New Chapter to be entitled Chapter 34. RCM (Residential Commercial Mix) District Regulations and to amend Chapter 16-28A.010 by adding a new Subsection (40) RCM (Residential Commercial Mix) District; and for other purposes. (Held 1/30/02)

0200061 (3) Z-01-93 A Substitute Ordinance by Zoning Committee to rezone from the I-1 (Light Industrial) HD-20I (Adair Park Historic District) District to the C-1 C (Community Business-Conditional/HD-20I (Adair Park Historic District) District, property located at 806 Murphy Avenue, SW, fronting 213 feet on the southeasterly side of Murphy Avenue beginning at the northeast corner of Gillette Avenue. (Held 1/30/02)

Depth: Varies

Area: 2.235 Acres

Land Lot: 107, 14<sup>th</sup> District, Fulton County, Georgia

Owner: Mary H. Federer

Applicant: DA Q PAU, Inc.

By: Lawrence C. Kasmien, Esq.

NPU-V Council District 4

0200079 (4) Z-01-66 An Ordinance by Councilmember Debi Starnes to rezone from the I-1 (Light Industrial) District and the R-4 (Single-Family Residential) District to the PD-MU (Planned Development-Mixed Use) District, property located at 3217-3269 Browns Mill Road, SE, fronting approximately 662.5 feet on the west side of Browns Mill Road beginning approximately 181 feet south from the southwest corner of Oak Drive. Property also fronts approximately 450 feet on the northeasterly side of Empire Boulevard. (Held 1/16/02)

Depth: Varies

Area: 56.5 Acres

Land Lots: 35, 62, 63 and 67, 14<sup>th</sup> District, Fulton County, Georgia

Owner: Williard C. Byrd, et al.

Applicant: The Knight Group



**NPU-Z Council District 12**

**ZONING COMMITTEE (5) DEBI STARNES, CHAIR**

**PAPERS HELD IN COMMITTEE (CONT'D)**

**0200080 ( 5) Z-01-70** An Ordinance by Councilmember Debi Starnes rezoning from the I-2 (Heavy Industrial) District and the I-1 (Light Industrial) District to the I-1 (Light Industrial) District and the C-2 (Commercial Service) District, property known as 1721 Dekalb Avenue, NE, and more particularly described as follows: (Held 1/16/02)

**Tract 1** - From I-2 and I-1 to C-2, Arizona Avenue, NE, fronting 134.39 feet on the west side of Arizona Avenue beginning 575 feet south from the southwest corner of La France Street.

**Depth:** Varies

**Area:** 2.36063 Acres

**Tract 2** - From I-2 and I-1 to C-2, NE corner of Arizona Avenue and Rogers Street, NE, fronting 153.92 feet on the easterly side of Arizona Avenue beginning at the northeast corner of Rogers Street.

**Depth:** Varies

**Area:** 0.78773 Acre

**Tract 3** - From I-2 to I-1, Arizona Avenue, NE, fronting 513.35 feet on the east side of Arizona Avenue beginning at the southeast corner of Rogers Street.

**Depth:** 322.15 Feet

**MEMBERS PRESENT:** STARNES, YOUNG, ARCHIBONG, WILLIS, SHOOK, SMITH & NORWOOD

**FINANCE/EXECUTIVE COMMITTEE FELICIA A. MOORE, CHAIR**

**ORDINANCES FOR SECOND READING**

**0200186 ( 1)** An Ordinance by Finance/Executive Committee as amended by the Atlanta City Council to amend the Charter of the City of Atlanta adopted under and by virtue of the Authority of the Municipal Home Rule Act of 1965 (Ga. Laws 1965,P. 298, et. seq.) as amended to amend Part 1, Subpart A, Article VI, Chapter 3, Section 6-301(b)(2), Section 6-302(c) and Section 6-304(b) of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, P. 4469, et. seq.) approved April 15, 1996, as amended, so as to add a requirement for the Budget Commission to allocate funds for a restricted General Fund Reserve equal to five (5) percent of the proposed General Fund Budget; and for other purposes.

**FAVORABLE AS AMENDED - 3<sup>rd</sup> READING, FINAL ADOPTIO**

**0200187 ( 2)** An Amended Ordinance by Finance/Executive Committee to amend the Charter of the City of Atlanta adopted under and by virtue of the Authority of the Municipal Home Rule Act of 1965 (Ga. Laws 1965, P. 298, et. seq.) as amended to amend Part 1, Subpart A, Article VI, Chapter 3, Section 6-301(b) of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, P. 4469, et. seq.) approved April 15, 1996, as amended, so as to add a Section 6-301(b)(6), which reads "The Members of the Budget Commission shall be personally liable for the over-anticipation of receipts."

**FAVORABLE AS AMENDED - (5 YEA'S) (1 NAY) -**

**3<sup>rd</sup> READING, FINAL ADOPTION**

**0200091 ( 3)** An Ordinance by Councilmember Clair Muller anticipating and appropriating the proceeds of the \$61,220,000.00 (2000 Quality of Life Improvement Bonds) sold on December 5, 2001 and closed on December 20, 2001; amending the 2002 (Sinking Fund) Budget for the purpose of anticipating the accrued interest and the appropriation of these funds toward payment of interest on the Bonds; and for other purposes.

**FORWARDED WITH NO RECOMMENDATION**

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

**ORDINANCES FOR SECOND READING (CONT'D)**

**0200258 ( 4)** An Ordinance by Councilman C. T. Martin, as substituted and amended by Finance/Executive Committee, to amend Article "V", Classification Plan, Section 114-447, of the Code of Ordinances, City of Atlanta, Georgia, so as to Abolish vacant positions (Part A);

**Abolish filled positions (Part B); Create, Reclassify, transfer salary and grade adjust positions (Part C); Introduce personnel policy amendments and new initiatives (Part D); and for other purposes. (Referred from Council, 2/4/02) (Forward with No Recommendation from Finance/Executive 2/13/02) (Referred back from Council, 2/25/02)**

**FORWARDED WITH NO RECOMMENDATION, ON SUBSTITUTE AS AMENDED**

**02O0362 ( 5) An Ordinance by Councilmember Felicia Moore as amended by Finance/Executive Committee to amend Atlanta City Code Section 2-105(a) so as to delete the words "for service" wherever they appear; to delete subsection (4) of Atlanta City Code Section 2-105(a) and substitute a provision in lieu thereof requiring that upon introduction of such legislation proposing a new fee or charge or to increase the amount of any existing fee or charge, each Neighborhood Planning Unit shall be notified and notice of such proposed legislation may be placed on the Neighborhood Planning Unit Agenda for information purposes only; to repeal conflicting ordinances; and for other purposes.**

**FAVORABLE (1 NAY)**

**PAPERS HELD IN COMMITTEE**

**02O0037 ( 1) An Ordinance by Councilmember Felicia Moore to amend the Pension Laws applicable to Police Officers of the City of Atlanta so as to increase the monthly pension benefit of Officers where a determination has been made by the Board of Trustees of the Police Officer's Pension Fund that an Officer has become disabled as a result of a catastrophic injury received in the line of duty; to provide that said ordinance shall be retroactive; and for other purposes. (Held 1/16/02)**

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

**PAPERS HELD IN COMMITTEE (CONT'D)**

**02O0083 ( 2) An Ordinance by Councilmember Clair Muller as substituted by Finance/Executive Committee amending Section 2-1292 of the City's Code of Ordinances to clarify procedures for authorizing the City's Purchasing Agent's execution of contract modifications and change orders to City contracts; to clarify certain errors and inconsistencies in the Code Section; and for other purposes. (Held 1/16/02)**

**02R0163 ( 3) A Resolution by Councilmember Debi Starnes to authorize the Mayor to negotiate a lease renewal option between the City of Atlanta and the Edgewood Rail Car Co., for the Trolley Barn located at 963 Edgewood Avenue. (Held 1/30/02)**

**02R0165 ( 4) A Resolution by Councilmember Debi Starnes to execute a lease agreement with Southface Energy Institute and the City of Atlanta. (Held 1/30/02)**

**02O0361 ( 5) An Ordinance by Councilmember Derrick Boazman to authorize the Director of the Bureau of Purchasing to purchase from the Trust for Public Land approximately 57 acres in the City of Atlanta known as the Swann Preserve; for the purposes set forth in the City of Atlanta Community Greenspace Program Application, the Supplemental Environmental Project pursuant to the consent decree, the Quality of Life Bond, and the Urban Development Action Grant; and for other purposes. (Held 2/27/02)**

**02R0363 ( 6) A Resolution by Councilmembers Felicia A. Moore, Mary Norwood, Derrick Boazman, C. T. Martin, Carla Smith, Jim Maddox, Natalyn Archibong, Ivory L. Young, Jr., Anne Fauver, Cleta Winslow, Howard Shook and H. Lamar Willis urging the Fulton County Commission and the Fulton County Tax Commissioner to terminate the practice of selling tax liens against owner-occupied residential properties to third parties and for other purposes. (Held 2/27/02)**

**02O0373 (7) An Ordinance by Councilmember C. T. Martin as amended by Finance/Executive Committee to establish an Atlanta in Fulton County and Atlanta in Dekalb Taxation Commission to undertake a comprehensive review of the appraisal and assessment process. (Amended and Held 2/27/02)**

**FINANCE/EXECUTIVE COMMITTEE (4) FELICIA A. MOORE, CHAIR**

**PAPERS HELD IN COMMITTEE (CONT'D)**

**02O0375 ( 8) An Ordinance and Charter Amendment by Councilmember Clair Muller adopted under and by Virtue of the Authority of the Municipal Home Rule Act of 1965 (Ga. Laws 1965, P. 298, et. seq.) as amended, to amend Section 6-302 (entitled Adoption of Budget) of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, P. 4469, et. seq.), approved April 15, 1996, as amended so as to change the dates by which the Mayor shall prepare and submit the Proposed Annual Budget Ordinance to the governing body as provided in Subsection (A) thereof, and to change the date by which the governing body shall adopt the annual budget of the ensuing Fiscal Year as provided in subsection (D) thereof; to repeal conflicting ordinances and Charter Provisions; and for other purposes. (Held 2/27/02) Second Reading, 1<sup>st</sup> Adoption**

**02R0382 ( 9) A Resolution by Councilmember Clair Muller as substituted by Finance/Executive Committee by the Atlanta City Council requesting a performance audit for programmatic changes in City of Atlanta services for the purpose of having an open public policy discussion of which services this municipality should perform and for the purpose of aiding the reorganization of city government with the intent of decreasing the millage rate for the taxpayers of the City of Atlanta in the 2003 Budget. (Held 2/27/02)**

**02R0384 (10)** A Resolution by Councilmember Howard Shook requesting that the City of Atlanta, Audit Committee consult with the City Auditor to include in the audit schedule for 2002, audits of city expenditures for 2000 and 2001; and for other purposes. (Held 2/27/02)

**02O0385 (11)** An Ordinance by Councilmember Howard Shook to create a Task Force to identify city services that may be more efficiently provided through privatization and consolidation, and committing to a mechanism and timetable for enactment; and for other purposes. (Held 2/27/02)

**MEMBERS PRESENT: MOORE, STARNES, MARTIN, FAUVER, MULLER, NORWOOD & MADDOX**

**COMMITTEE ON COUNCIL ANNE FAUVER, CHAIR**

**ORDINANCE FOR FIRST READING**

**02O0377 (1)** An Ordinance by Committee on Council amending the Code of Ordinances of the City of Atlanta so as to delete Chapter 2, Article VII, Division 2, Standards of Conduct in its entirety and replace it with new Standards of Conduct; to amend the oath taken by members of Boards and Commissions; and for other purposes.

**PAPERS HELD IN COMMITTEE**

**02O0237 (1)** An Ordinance by Councilmember Clair Muller to amend Chapter Two, Article II, Division 2 of the Code of Ordinances of the City of Atlanta by amending Section 2-66; to set a time limit for the Conduct of Regular City Council Meetings; to repeal conflicting ordinances; and for other purposes. (Held 2/18/02 for discussion at Council Recess)

**02O0240 (2)** An Ordinance by Councilmember Clair Muller to amend Chapter Two, Article II, Division 2, of the Code of Ordinances of the City of Atlanta by amending Section 2-66; to set a time limit for the Conduct of Regular City Council Meetings; to repeal conflicting ordinances; and for other purposes. (Held 2/18/02 for discussion at Council Recess)

**MEMBERS PRESENT:**

**CITY UTILITIES COMMITTEE CLAIR MULLER, CHAIR**

**RESOLUTION**

**02R0332 (1)** A Substitute Resolution by City Utilities Committee authorizing the Mayor to execute a Change Order to Contract FC-7134-99, Design/Build of Nancy Creek Trunk Sewer Capacity Management Facility with Western Summit Constructors, Inc., on behalf of the Department of Public Works in an amount not to exceed \$2,316,827.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2J27 573001 M24I02429999.

**PAPERS HELD IN COMMITTEE**

**02O0087 (1)** An Ordinance by Councilmember Clair Muller amending Article II, Division 3 (Sanitary) Rates and Charges Section of the City of Atlanta's Code of Ordinances; and for other purposes. (Held 1/15/02)

**02O0164 (2)** An Ordinance by Councilmember Debi Starnes to abandon Johnson Avenue, between Randolph Street and the Dead End to the west. (Held 1/29/02) (To be advertised for a Public Hearing)

**02O0167 (3)** An Ordinance by Councilmember Felicia A. Moore as amended by City Utilities Committee to abandon public streets known as Clarissa Drive, Drew Drive, Kerry Drive, Kerry Circle and Westmoreland Circle located in the Housing Authority of the City of Atlanta, Georgia Community known as Perry Homes and to convey said abandoned streets at no cost to the Housing Authority of the City of Atlanta, Georgia; to waive the provisions of Section 2-1578 of the City Code, provided however, that Section 2-1578(c)(3) requiring certain notifications and Sections 138-9(b) insofar as it pertains to the advertisement and public hearing requirement, shall not be waived; and for other purpose. (Amended and Held 1/29/02) (Advertised for a Public Hearing 3/12/02 at 9:00 a. m. in Committee Room #2)

**02R0194 (4)** A Resolution by City Utilities Committee authorizing the Mayor to enter into an appropriate contractual agreement with Pizzagalli Construction/Integral Municipal Services Corporation, Joint Venture, for FC-7305-00, Utoy Creek Water Reclamation Center Improvements, Phase 2A on behalf of the Department of Public Works in an amount not to exceed \$21,027,000.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2J26 573001 M53I19039999. (Held 2/12/02)

**CITY UTILITIES COMMITTEE (2) CLAIR MULLER, CHAIR**

**PAPERS HELD IN COMMITTEE (CONT'D)**

**02O0262 (5)** An Ordinance by Councilmember Derrick Boazman to amend an ordinance to abandon Casplan Street, SW from Metropolitan Parkway, SW to Harden Street, SW and to abandon Harden Street, SW from Casplan Street, SW to a point approximately 863 feet southeasterly, lying and being in Land Lot 89 of the 14<sup>th</sup> District of Fulton County, Georgia; and for other purposes. (Held 2/12/02)

**02O0267 ( 6)** An Ordinance by Councilmember Cleta Winslow to abandon that portion of Wellborn Street, SW from West End Avenue, SW to the previously abandoned portion of Wellborn Street, SW; and for other purposes. (Held 2/12/02) (Advertised for a Public Hearing 3/12/02 at 9:00 a. m. in Committee Room #2)

**02O0268 ( 7)** An Ordinance by Councilmember Debi Starnes to change the name of Linden Avenue, between Piedmont Avenue and the I-75/85 Connector, to Dr. James A. Kaufman Avenue. (Held 2/12/02) (To be advertised for a Public Hearing)

**MEMBERS PRESENT: MULLER, MITCHELL, SHOOK, SMITH, WINSLOW & MADDOX**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE CLETA WINSLOW, CHAIR**

**ORDINANCES FOR SECOND READING**

**02O0197 ( 1)** A Substitute Ordinance by Community Development/Human Resources Committee amending the 2002 (Community Development Fund) Budget by anticipating and appropriating \$1,920,250.00, 2002 (HOME Investment Fund) Budget by anticipating and appropriating \$406,400.00, and 2002 (Intergovernmental Grant Fund) Budget by Anticipating and appropriating \$116,520 and transferring appropriations from Reserve Accounts to Administrative Accounts in the 2002 CDBG, HOME and HOPWA Programs; and for other purposes.

**FAVORABLE ON SUBSTITUTE - (5 YEA'S) (1 NAY)**

**02O0198 ( 2)** A Substitute Ordinance by Community Development/Human Resources Committee anticipating and appropriating \$10,136,750.00 in the 2002 Community Development Block Grant Program (CDBG), \$426,000.00 in the 2002 Emergency Shelter Grant (ESG) Program, \$3,657,600.00 in the 2002 HOME Investment Partnership Program (HOME) and \$3,767,480.00 in the 2002 Housing Opportunities for Persons with AIDS (HOPWA) Grant Program; and for other purposes.

**FAVORABLE ON SUBSTITUTE - (5 YEA'S) (1 NAY)**

**RESOLUTIONS**

**02R0337 (1)** A Substitute Resolution by Community Development/Human Resources Committee authorizing the Mayor to enter into various contractual agreements for the implementation of projects under the 2002 Community Development Block Grant (CDBG), 2002 Home Investment Partnership Program (HOME), 2002 Emergency Shelter Grant (ESG), and the 2002 Housing Opportunities for Persons With Aids (HOPWA) Programs; and for other purposes.

**FAVORABLE ON SUBSTITUTE - (5 YEA'S) (1 NAY)**

**COMMUNITY DEVELOPMENT/ (2) CLETA WINSLOW, CHAIR**

**HUMAN RESOURCES COMMITTEE**

**RESOLUTIONS (CONT'D)**

**02R0338 ( 2)** A Resolution by Community Development/Human Resources Committee authorizing the Mayor to enter into a contract with the Summech Development Corporation (Summech) to implement acquisition activities under the Mechanicsville Urban Redevelopment/Section 108 Project in an amount not to exceed \$1,250,000.00; and for other purposes.

**FAVORABLE - (5 YEA'S) (1 ABSTENTION)**

**02R0340 ( 3)** A Resolution by Community Development/Human Resources Committee certifying to the operation of the Revolving Loan Fund (RLF), EDA Project Number 04#-3904038 by the City of Atlanta; and for other purposes.

**FORWARDED WITH NO RECOMMENDATION - (5 YEA'S) (1-NAY)**

**02R0341 ( 4)** A Resolution by Community Development/Human Resources Committee authorizing the Mayor to sign a Grant Extension for time only, for the City's Brownfield's Grant (BP-98403696-4) with the U.S. Environmental Protection Agency; and for other purposes.

**FORWARDED WITH NO RECOMMENDATION - (5 YEA'S) (1-NAY)**

**PAPERS HELD IN COMMITTEE**

**02O0251 ( 1) CDP-02-11** An Ordinance by Councilmembers Cleta Winslow, Jim Maddox, H. Lamar Willis, Derrick Boazman, Ceasar C. Mitchell, Natalyn Archibong and Anne Fauver to amend the 2002 Comprehensive Development Plan, as amended so as to incorporate the recommendations of the Pittsburgh Community Redevelopment Plan; and for other purposes. (Held 2/12/02) (Held for First Quarter CDP Amendment Public Hearing on 3/11/02)

**NPU-V Council District 4**

**COMMUNITY DEVELOPMENT/ (3) CLETA WINSLOW, CHAIR**

**HUMAN RESOURCES COMMITTEE**

**PAPERS HELD IN COMMITTEE (CONT'D)**

**02O0257 ( 2) CDP-02-11** An Ordinance by Councilmember Jim Maddox to amend the Land Use Map of the 2002 City of Atlanta Comprehensive Development Plan (CDP) as amended so as to re-designate certain property in Land Lots 2 and 36 of the 14FF District, Fulton County to the Mixed-Use Land Use Designation; and for other purposes. (Held 2/12/02) (Held for First Quarter CDP Amendment Hearing on 3/11/02)

**02O0264 ( 3) CDP-02-10** An Ordinance by Councilmember Derrick Boazman to amend the 2002 Comprehensive Development Plan, as Amended, so as to incorporate Land Use Amendments for certain properties in the Stewart Avenue Corridor Redevelopment Plan (Z-96-52) from Single Family Residential Land Use Designation to the Medium Family Residential Land Use Designation; and for other purposes. (Held 2/12/02) (Held for First Quarter CDP Amendment Public Hearing on 3/11/02)

NPU-X Council District 12

**02R0252 ( 4)** A Resolution by Councilmembers Cleta Winslow, Natalyn Archibong, H. Lamar Willis, Derrick Boazman, Mary Norwood, Jim Maddox, Cesar C. Mitchell and Anne Fauver approving the Pittsburgh Redevelopment Plan in accordance with O.C.G.A., Section 36-44-1; to rescind conflicting resolutions; and for other purposes. (Held 2/12/02) (Held for First Quarter CDP Amendment Public Hearing on 3/11/02)

NPU-V Council District 4

**02R0263 ( 5)** A Resolution by Councilmember Derrick Boazman to amend the Stewart Avenue Corridor Redevelopment Plan (Resolution 96-R-1515 and CDP-96-35) so as to incorporate a Land Use Amendment for certain property that lies in Land Lot 14-103, Fulton County, Georgia and that fronts Stewart Avenue (Metropolitan Parkway) and is bounded by Saint John Street on the west and certain rear properties off Grant Street on the east; and for other purposes. (Held 2/12/02) (Held for First Quarter CDP Amendment Public Hearing on 3/11/02)

NPU-X Council District 12

**COMMUNITY DEVELOPMENT/ (4) CLETA WINSLOW, CHAIR**

**HUMAN RESOURCES COMMITTEE**

**PAPERS HELD IN COMMITTEE (CONT'D)**

**02O0084 ( 6)** An Ordinance by Councilmembers Clair Muller and Anne Fauver authorizing the establishment of the Arts Council of the City of Atlanta; for the purpose of providing guidance and support for the arts in the City of Atlanta; for the selection of members; and for other purposes. (Held 1/15/02)

**MEMBERS PRESENT: WINSLOW, NORWOOD, ARCHIBONG, BOAZMAN, MOORE & YOUNG**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE CEASAR C. MITCHELL, CHAIR**

**PAPERS HELD IN COMMITTEE**

**02O0086 ( 1)** An Ordinance by Councilmember Clair Muller to replace Division 7, entitled "Animal Drawn Vehicles", of Sections 162-146 through 162-161, of Chapter 162 of the City of Atlanta's Code of Ordinances, with new language, so as to strengthen regulations in this trade; and for other purposes. (Held 1/15/02)

**02R0300 ( 2)** Claim of Ruthie Dooley, for damages alleged to have been sustained as a result of property damage due to a vehicular accident on November 14, 2001 at 309 E. Rhine Hill Road, SE. (Held 2/26/02)

**MEMBERS PRESENT: MITCHELL, MARTIN, ARCHIBONG, YOUNG, SHOOK, WINSLOW & SMITH**

*Questions or Comments for City Council*  
*[pryan@atlantaga.gov](mailto:pryan@atlantaga.gov)*

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**Webmaster**

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