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ATLANTA CITY COUNCIL

AGENDA

June 3, 2002

Order of Business for the Atlanta City Council

Monday, June 3, 2002

The Honorable Cathy Woolard, Presiding

1:00 P. M.

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
Community Development/Human
Resources Committee Cleta Winslow 16
Public Safety and Legal*
Administration Committee Ceasar C. Mitchell 20
Transportation Committee* H. Lamar Willis 21
Zoning Committee Debi Starnes 22
Finance/Executive Committee Felicia A. Moore 35
Committee on Council** Anne Fauver 39
City Utilities Committee Clair Muller 43
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

COMMUNITY DEVELOPMENT/HUMAN

RESOURCES COMMITTEE - CLETA WINSLOW, CHAIR

02O0726 (1) An Ordinance by Community Development/Human Resources Committee authorizing the Mayor to grant a temporary 20' x 170' construction and maintenance easement to the Atlanta Public Schools for the purpose of installing two (2) portable classrooms in the Benteen Park on City of Atlanta property, located in Land Lot 24 of the

14th District of Fulton County, Georgia so as to allow the Atlanta Public Schools to complete their expansion of the Benteen Elementary School which is adjacent to Benteen Park; to occupy the temporary 20' x 170' easement area for a maximum period of three (3) years, on behalf of the Department of Parks, Recreation and Cultural Affairs, Bureau of Parks; and for other purposes.

[02O0723 \(2\)](#) A Substitute Ordinance by Community Development/Human Resources Committee amending the 2002 (Community Development Fund) Budget by transferring appropriations in the amount of \$54,000.00 from CD-23A, Business Improvements Loan Fund to CD-23B, BILF Administration; transferring funds in the amount of \$123,375.60 from BILF Administration to the BILF Revolving Account; and for other purposes.

PUBLIC SAFETY AND LEGAL

ADMINISTRATION COMMITTEE - CEASAR C. MITCHELL, CHAIR

[02O0694 \(3\)](#) An Ordinance by Public Safety and Legal Administration Committee authorizing settlement of all claims of Stephen Joy in the case of Stephen G. Joy vs. K. L. West, Case Number 1:00-CV-0925-JTC in the United States District Court, Northern District of Georgia, Atlanta Division, Appeal Docket No. 02-103990 in the United States Court of Appeals for the Eleventh Circuit; to cause payment to be made in the amount of \$11,000.00; 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

[02O0854 \(4\)](#) An Ordinance by Councilmember Carla Smith to amend Chapter 10, Article II, Section 10-92(B) of the City of Atlanta Code of Ordinances to provide an exemption from the distance requirements from store to store for establishments licensed to sell malt beverages and/or wine by the package which are located within a certain area; and for other purposes.

[02O0952 \(5\)](#) An Amended Ordinance by Public Safety and Legal Administration Committee authorizing a (120) day moratorium on enforcement at Turner Field, of that portion of Section 30-1409 of the City Code which prohibits a vendor from conducting business on public space in an area no larger than three feet by seven feet; and for other purposes.

TRANSPORTATION COMMITTEE - H. LAMAR WILLIS, CHAIR

[02O0709 \(6\)](#) An Ordinance by Transportation Committee authorizing the Mayor or her designee to make segments of the following street within the City of Atlanta No Parking Anytime: Euharlee Street, SW.

[02O0710 \(7\)](#) An Ordinance by Transportation Committee amending Atlanta City Code Section 22-87(b) so as to increase the Non-Signatory Landing Fee Rate from .89 to .93 per 1,000 pounds maximum certified gross landing weight of any aircraft operating at Hartsfield Atlanta International Airport which is not covered by an Airport Use Agreement with the City of Atlanta; repealing conflicting ordinances; and for other purposes.

[02O0711 \(8\)](#) An Ordinance by Transportation Committee authorizing the Mayor or her designee to make the intersection of Berean Avenue, SE and Woodward Avenue an All-Way Stop.

[02O0712 \(9\)](#) An Ordinance by Transportation Committee authorizing the Mayor or her designee to make the intersection of North Ivy Road, NE and North Stratford Road an All-Way Stop.

CONSENT AGENDA SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

TRANSPORTATION COMMITTEE - H. LAMAR WILLIS, CHAIR

[02O0713](#) (10) An Ordinance by Transportation Committee authorizing the Mayor or her designee to make the intersection of Carter Drive, NE and Club Valley Drive an All-Way Stop.

[02O0714](#) (11) An Ordinance by Transportation Committee authorizing the Mayor or her designee to make the intersection of East Rhinehill Road, SE and Rhinehill Road an All-Way Stop.

[02O0715](#) (12) An Ordinance by Transportation Committee authorizing the Mayor or her designee to make the intersection of Hardendorf Avenue, NE and Marlbrook Drive an All-Way Stop.

[02O0716](#) (13) An Ordinance by Transportation Committee authorizing the Mayor or her designee to make the intersection of Cameron Street, SE and Woodward Avenue an All-Way Stop.

[02O0717](#) (14) An Ordinance by Transportation Committee authorizing the Mayor or her designee to make the intersection of Angelo Drive, NE and Club Valley Drive an All-Way Stop.

[02O0953](#) (15) An Ordinance by Councilmember Natalyn M. Archibong authorizing the Mayor or her designee to make the street segment of Sanders Avenue, SE between Moreland Avenue and Glenwood Place, within the City of Atlanta, No Parking Anytime; and for other purposes.

FINANCE/EXECUTIVE COMMITTEE - FELICIA A. MOORE, CHAIR

[02O0719](#) (16) An Ordinance by Finance/Executive Committee amending the 2002 (1994 Referendum General Obligation Bond Fund) Budget in the amount of \$119,363.68 for FC-6949-98 Peachtree Creek Drainage and Streambank Improvements Contract #4, Change Order 1; and for other purposes.

[02O0720](#) (17) A Substitute Ordinance by Finance/Executive Committee anticipating and appropriating Georgia Department of Transportation funds in the amount of \$452,000.00 for the purpose of funding Transportation Corridor Studies for Martin Luther King, Jr. Drive, Ponce de Leon Avenue, Northside Drive and Moreland Avenue; and for other purposes.

CONSENT AGENDA SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

FINANCE/EXECUTIVE COMMITTEE - FELICIA A. MOORE, CHAIR

[02O0722](#) (18) An Amended Ordinance by Finance/Executive Committee amending the 2002 (1999 Water and Sewer Bond Fund) Budget in an amount not to exceed \$255,920.22 to fund construction of the Peachtree Creek Interceptor Sewer; and for other purposes.

[02O0959](#) (19) An Ordinance by Councilmembers Carla Smith and Cleta Winslow as amended by Finance/Executive Committee authorizing the Mayor to enter into a contract agreement with Sci-Trek Science Museum in an amount not to exceed \$749,477.00 for the purpose of designing and constructing an exhibit, Challenger Learning Center, located inside the existing facility at 395 Piedmont Avenue, NE; Atlanta, Georgia 30308.

[02O0962](#) (20) An Ordinance by Councilmembers Debi Starnes and Carla Smith as substituted and amended by Finance/Executive Committee to transfer funds from the District 2 Councilmember Operations Account to the

Department of Parks and Recreation, to erect a neighborhood identification sign at the Boulevard/Wabash Pocket Park and to purchase uniforms and equipment (swim suits and t-shirts) for the Atlanta Dolphins at the Martin Luther King, Jr. Natatorium.

[02O0966 \(21\)](#) An Ordinance by Councilmember Carla Smith as substituted by Finance/Executive Committee rescinding 00-R-0463, and transferring to and from appropriations in the 2002 (General Government Capital Outlay Fund) Budget, Department of Fire Services \$811,678.00 for the purpose of funding work elements to correct subsurface ground conditions and design/build changes for Fire Station No. 4 located at Fort and Edgewood Streets; and to authorize Change Order No. 2 for Fire Station No. 4 located at Fort and Edgewood Streets and Fire Station No. 14 located at Lee and Avon Streets in an amount not to exceed \$476,052.00. All contracted work shall be charged to and paid from Fund, Account, Center Numbers 1C44 574001 W11C020492AK (\$238,026.00) and 1C44 574001 W11C021492AK (\$238,026.00)

CONSENT AGENDA SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

FINANCE/EXECUTIVE COMMITTEE - FELICIA A. MOORE, CHAIR

[02O0967 \(22\)](#) An Ordinance by Councilmember Felicia A. Moore amending the 2002 (1994 Referendum G. O. Bond Fund) Budget for the amount of \$112,182.00 to provide the City's Match for a Federal Emergency Management Agency Grant to mitigate the impact of flooding on some City of Atlanta Homeowners; and for other purposes.

CITY UTILITIES COMMITTEE - CLAIR MULLER, CHAIR

[02O0730 \(23\)](#) An Ordinance by City Utilities Committee to abandon a portion of the right-of-way of Joyland Place said portion being approximately 0.350 acre in area, running between Joyland Avenue and I-75/85 a distance of approximately 15,279.69 feet and located in Land Lots 72, 73, 88 & 89 of the 14th District, Fulton County, Georgia; and for other purposes. (Public Hearing held 05/28/02)

[02O0958 \(24\)](#) An Ordinance by Councilmembers Debi Starnes and Carla Smith authorizing the Commissioner of Public Works, on behalf of the Mayor, to waive paragraphs four (4) and 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 Black Arts Festival (NBAF); and for other purposes.

[02O0961 \(25\)](#) An Ordinance by Councilmembers Debi Starnes and Carla Smith as amended by City Utilities Committee authorizing the Commissioner of Public Works, on behalf of the Mayor, to waive paragraph four (4) of Section 138-60 of the Code of Ordinances of the City of Atlanta, for the issuance of a Banner Permit to the First Congregational Church, United Church of Christ; and for other purposes.

RESOLUTIONS

COMMUNITY DEVELOPMENT/HUMAN

RESOURCES COMMITTEE - CLETA WINSLOW, CHAIR

[02R0894 \(1\)](#) A Resolution by Community Development/Human Resources Committee authorizing the Mayor to apply for and accept a grant from the U.S. Department of Interior, National Park Service, Urban Park and Recreation Recovery Program, in the amount of \$826,000.00 for the purpose of rehabilitating the South Bend Neighborhood Facility, located at 1955 Compton Drive, SE, Atlanta, GA 30315; and to provide for grant matching funds; and for other purposes.

CONSENT AGENDA SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

PUBLIC SAFETY AND LEGAL

ADMINISTRATION COMMITTEE - CEASAR C. MITCHELL, CHAIR

[02R0948 \(2 \)](#) A Resolution by Public Safety and Legal Administration Committee authorizing payment in the amount of \$9,317.04 in settlement of the claim of Danny K. Stephenson against the City of Atlanta.

[02R0949 \(3 \)](#) A Resolution by Public Safety and Legal Administration Committee authorizing payment in the amount of \$2,000.00 in settlement of the claim of Laketa Johnson, through her attorney, Robert Altman against the City of Atlanta; and for other purposes.

[02R0905 \(4 \)](#) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to apply for and accept a grant from the Governor's Office of Highway Safety Programs in an amount not to exceed \$132,645.00 for a program to continue the operation of the City's participation in the Metro Atlanta Multi-Jurisdictional DUI Task Force; and for other purposes.

[02R0906 \(5 \)](#) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor or her designee to accept on behalf of the Atlanta Fire Department the donation of used furniture and other household items in satisfactory condition valued at not more than \$3,000.00 from Providence Missionary Baptist Church for use at Fire Station Twenty-Five (25); and for other purposes.

FINANCE/EXECUTIVE COMMITTEE - FELICIA A. MOORE, CHAIR

[02R0904 \(6 \)](#) An Amended Resolution by Finance/Executive Committee authorizing the Mayor to enter into an appropriate Contractual Agreement with MCI/WorldCom for the purchase of and installation of necessary equipment and services to expand the existing PBX System at the City Hall Complex on behalf of the Department of Administrative Services, Telecommunications Division in an amount not to exceed \$784,723.00. All contracted work shall be charged to and paid from Fund, Account, Center Number: 1A01 575001 T31002.

CONSENT AGENDA SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE - FELICIA A. MOORE, CHAIR

[02R0954 \(7 \)](#) A Resolution by Councilmember Natalyn Mosby Archibong as substituted by Finance/Executive Committee supporting the Mayor or her designee in discussions with the Atlanta Board of Education for the purpose of swapping or acquiring the property known as the Grant School in Cabbagetown; and for other purposes.

[02R0974 \(8 \)](#) A Resolution by Finance/Executive Committee authorizing the Interim City Attorney to execute a Retainer Agreement in an amount not to exceed \$100,000.00 with the Law Firms of Sutherland, Asbill & Brennan and Thomas, Kennedy, Sampson & Patterson to serve as Bond Counsel to the City of Atlanta in connection with public finance transaction (including the issuance of bonds and notes) for the Department of Aviation; to authorize the Chief Financial Officer to pay fees and costs for legal services rendered pursuant to said retainer agreement; to rescind conflicting resolutions; and for other purposes.

CITY UTILITIES COMMITTEE - CLAIR MULLER, CHAIR

[02R0801 \(9 \)](#) A Resolution by City Utilities Committee authorizing the Mayor to apply for and accept a grant in the amount of \$7,500.00 from BellSouth Advertising and Publishing intended for the development of a program to recycle used telephone directories.

[02R0892 \(10\)](#) A Resolution by City Utilities Committee authorizing the Mayor or her designee to enter into Amendment Number 1 with Insituform Technologies, Inc., for FC-7063-99, Annual Contract for Cured-In-Place Pipe; on behalf of the Department of Public Works in an amount not to exceed \$1,250,000.00; and to increase the scope of services to be provided by the contractor as reflected in the proposal; all contracted work shall be charged to and paid from Fund, Account and Center Number: 2J26 574001 M24I02449999.

[02R0895 \(11\)](#) A Resolution by City Utilities Committee authorizing the Mayor or her designee to install a six inch sanitary sewer tap to serve property located at 190 Marietta Street as requested by the property owner.

CONSENT AGENDA SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

CITY UTILITIES COMMITTEE - CLAIR MULLER, CHAIR

[02R0896 \(12\)](#) A Resolution by City Utilities Committee authorizing the Mayor to enter into an appropriate contractual agreement with Roland Pugh Construction Company, Inc., for FC-6818-97, Tenth Ward Sanitary Sewer Improvements, Phase II, Contract 2, in an amount not to exceed \$1,693,266.21. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2J26 573001 M24I02469999.

[02R0897 \(13\)](#) A Resolution by City Utilities Committee authorizing the Mayor or designee to issue a Notice to Proceed with Delon Hampton & Associates/W. L. Jordan and Company, Inc., - JV for FC-6710-96C, Annual Contract for Architectural and Engineering Services to provide a GDOT Concept Report and Survey for Howell Mill Road/Chattahoochee Avenue Intersection Improvements on behalf of the Department of Public Works in an amount not to exceed \$103,080.00; all contracted work shall be charged to and paid from Fund, Account and Center Number: 1C34 574001 M22F013992BA.

[02R0898 \(14\)](#) A Resolution by City Utilities Committee authorizing the Mayor or designee to enter into Amendment Agreement No. 4 with Metcalf & Eddy, Inc., for FC-6433-95, Design Services for Summerhill/Peoplestown, Mechancisville and Intrenchment Creek, Stage 1 and Stage 2 to provide additional Stormwater System Improvements for the Sandy Creek Drainage Basin in an amount not to exceed \$10,081.00. All contracted work shall be charged to and paid from Fund Account and Center Number: 1A01 524001 M21001.

[02R0903 \(15\)](#) A Resolution by City Utilities Committee authorizing the Mayor to enter into Amendment Number One for FC-7322-01, Orme Street Combined Trunk Relief Sewer, Phase III, Construction Management Services with the Integral Partnership of Atlanta, a Joint Venture, in an amount not to exceed \$217,462.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2J26 574001 M24I02169999.

CONSENT AGENDA SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

CITY UTILITIES COMMITTEE - CLAIR MULLER, CHAIR

[02R0950 \(16\)](#) A Resolution by City Utilities Committee authorizing the Mayor to enter into Renewal Agreement No. 3 with Consolidated Resource Recovery for FC-6528-96, Yard Trimmings Diversion Program on behalf of the Department of Public Works for a rate of \$29.00 per ton of yard waste collected; \$31.00 per ton for oversize loads; and a rate of \$13.00 per ton for emergency mobile grinding. All contracted work shall be charged to and paid from Various Fund, Account and Center Numbers.

[02R0968 \(17\)](#) A Resolution by Councilmember Felicia A. Moore requesting that the Mayor or her designee provide

sewer basin information to all developers applying to construct new or rehabilitated development in the City of Atlanta; and for other purposes.

02R0975 (18) A Resolution by City Utilities Committee to authorize payment of stipulated penalties imposed by the Environmental Protection Agency (EPA) and the Environmental Protection Division of the Department of Natural Resources of the State of Georgia (EPD) in the amount of \$13,500.00 as stipulated penalties for violations of CSO Fecal Coliform Operational Standards and CSO Sampling pursuant to the CSO Consent Decree, Civil Action File No. 1:95-CV-2550-TWT; to identify the source of funding; and for other purposes.

PUBLIC SAFETY AND LEGAL

ADMINISTRATION COMMITTEE - CEASAR C. MITCHELL, CHAIR

Claims with Favorable Recommendations:

02R0910 (1) Claim of Christine Spokes and Danny E. Cargal, for damages alleged to have been sustained as a result of a vehicular accident on April 10, 2002 at West Lake Avenue and Calloway Drive. \$661.38

02R0911 (2) Claim of GMAC Insurance as subrogee of Tina Weaver, for damages alleged to have been sustained as a result of an automobile accident on January 2, 2002 a Lakewood Avenue, SE and Lakewood Freeway ramp. \$2,000.00

CONSENT AGENDA SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

PUBLIC SAFETY AND LEGAL

ADMINISTRATION COMMITTEE - CEASAR C. MITCHELL, CHAIR

Claims with Favorable Recommendations:

02R0912 (3) Claim of The Woods at Glenrose Apartments, for damages alleged to have been sustained as a result of a vehicular accident on January 26, 2002 at 50 Mount Zion Road. \$2,000.00

02R0913 (4) Claim of Sally Ferguson, for damages alleged to have been sustained as a result of a vehicular accident on November 21, 2001 at 1369 Miller Avenue, NE. \$650.00

02R0914 (5) Claim of Jonathan Wright, for damages alleged to have been sustained from as a result of a construction site in the roadway that was left in an open and unsafe condition on January 26, 2002 at 1365 Peachtree Street, NE. \$843.09

02R0915 (6) Claim of Timothy Moone, for damages alleged to have been sustained as a result of a sanitary sewer backup on March 31, 2001 at 2156 Honeysuckle Lane, SW. \$1,000.00

02R0916 (7) Claim of Christopher H. Privette, for damages alleged to have been sustained as a result of a vehicular accident on February 17, 2002 at 825 Piedmont Avenue, NE. \$2,000.00

02R0917(8) Claim of Jaime A. Saunders, for damages alleged to have been sustained as a result of a vehicular accident on March 13, 2002 at Memorial Drive and Central Avenue. \$1,818.25

02R0918 (9) Claim of Kevin B.D. Banks, for damages alleged to have been sustained as a result of riding over a pothole and being thrown from his bicycle on October 3, 2001 at Bolton Road and Main Street, NW. \$1,161.51

02R0919 (10) Claim of USAA Casualty Insurance Company as subrogee for Shelley S. Sawyer, for damages alleged to have been sustained as a result of driving over an unsecured sewer construction site on September 13, 2001 at 455

Peachtree Battle Avenue, NE. \$675.62

02R0920 (11) Claim of Doris Grady, for damages alleged to have been sustained as a result of a vehicular accident on March 22, 2002 at 2690 Campbellton Road, SW. \$879.10

CONSENT AGENDA SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

PUBLIC SAFETY AND LEGAL

ADMINISTRATION COMMITTEE - CEASAR C. MITCHELL, CHAIR

Claims with Favorable Recommendations:

02R0921 (12) Claim of Janel Jennings, for damages alleged to have been sustained as a result of a sewer backup on July 20, 2001 at 2487 Fernleaf Court. \$1,025.00

02R0922 (13) Claim of Lawrence Martin, through his attorney, Margot S. Roberts, for damages alleged to have been sustained as a result of a vehicular accident on May 11, 2000 at Peachtree and 15th Streets. \$1,000.00

02R0923 (14) Claims of State Farm Insurance Companies as subrogee of Delecia Smith, for damages alleged to have been sustained as a result of a vehicular accident on September 20, 2001 at Juniper and 4th Streets. \$1,048.15

Claims with Unfavorable Recommendations:

02R0924 (15) Claim of Antoine Pressley, through his attorney, Melanie A. Webre, for damages alleged to have been sustained as a result of personal injuries due to a beating on December 8, 2001 on Atlanta Housing Authority property located on Jonesboro Road.

02R0925 (16) Claim of Jonathon Roseville, through his attorney, Scott G. Monge, for damages alleged to have been sustained as a result of a vehicular accident on March 26, 2001 at 2780 Peachtree Road, NE.

02R0926 (17) Claim of Charles Beaumont, through his attorney, Darrell T. Carver, for damages alleged to have been sustained as a result of personal injuries during an arrest on June 10, 2001 at 2329 Cheshire Bridge Road, NE.

02R0927 (18) Claim of Robert Thomas, through his attorney, William T. Mitchell, for damages alleged to have been sustained as a result of personal injuries during an arrest on June 30, 2001 at West Peachtree and 10th Streets.

CONSENT AGENDA SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

PUBLIC SAFETY AND LEGAL

ADMINISTRATION COMMITTEE - CEASAR C. MITCHELL, CHAIR

Claims with Unfavorable Recommendations:

02R0928 (19) Claim of Gaye Allen, for damages alleged to have been sustained as a result of driving over a pothole in the road on January 11, 2002 at 2075 Bankhead Highway.

02R0929 (20) Claim of Samantha Lockridge, for damages alleged to have been sustained as a result of a vehicular

damage due to an unsecured metal plate in the roadway on March 18, 2001 at 2492 Habersham Road.

[02R0930 \(21\)](#) Claim of Chris Witmer, for damages alleged to have been sustained as a result of vehicular damage due to an unsecured metal plate in the roadway on March 10, 2001 at 2492 Habersham Road.

[02R0931 \(22\)](#) Claim of Marjorie C. Henson, for damages alleged to have been sustained as a result of vehicular damage due to an unsecured metal plate in the roadway on March 15, 2001 at 2492 Habersham Road.

[02R0932 \(23\)](#) Claim of Peggy D. Murray, through his attorney, Donald C. Beskin, for damages alleged to have been sustained as a result of personal injuries due to walking through a glass panel on September 24, 2001 at the Atlanta Civic Center.

[02R0933 \(24\)](#) Claim of The Sembler Company, through its attorneys, Rush S. Smith, Jr. and Paul R. Koster, for damages alleged to have been sustained as a result of the flooding of property belonging to Affairs to Remember, Inc., on January 22, 2001 at 680 Ponce de Leon Avenue.

[02R0934 \(25\)](#) Claim of Linda D. Harvey, for damages alleged to have been sustained as a result of loss of personal property on August 10, 2001 at 675 Ponce de Leon Avenue, NE.

[02R0935 \(26\)](#) Claim of Woodrow and Edith Kay Wells and Metlife Auto and Home, for damages alleged to have been sustained as a result of property damage due to a fire on March 8, 2000 at 34 Peachtree Circle.

CONSENT AGENDA SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

PUBLIC SAFETY AND LEGAL

ADMINISTRATION COMMITTEE - CEASAR C. MITCHELL, CHAIR

Claims with Unfavorable Recommendations:

[02R0936 \(27\)](#) Claim of Sandro G. Longo, Jr., for damages alleged to have been sustained as a result of damage to a laptop computer on January 14, 2002 at the Atlanta Airport.

[02R0937 \(28\)](#) Claim of Collette "Lorie" McDonald, through her attorney, Gregory V. Soderberg, for damages alleged to have been sustained as a result of personal injuries due to a fall on a cement barrier on April 26, 2001 in the South Terminal Parking lot at the Atlanta Airport.

[02R0938 \(29\)](#) Claim of Andy Philhower, for damages alleged to have been sustained as a result of driving over a manhole cover on October 8, 2001 at Peachtree and East Paces Ferry Roads, NE.

[02R0939 \(30\)](#) Claim of Charlton Whitlock Dunbar, for damages alleged to have been sustained as a result of driving over a pothole in the roadway on March 30, 2001 at Foundry and Marietta Streets.

[02R0940 \(31\)](#) Claim of Valencia M. Wilson, for damages alleged to have been sustained when a City vehicle drove over a limb causing it to pop up and strike the vehicle behind it on December 26, 2001 at 2615 Bankhead Highway, NW.

[02R0941 \(32\)](#) Claim of Regina Babalade through her attorney, Thomas F. Jones, Esq., for damages alleged to have been sustained as a result of stepping into a pothole on July 2, 2000 at 785 Pearce Street.

[02R0942 \(33\)](#) Claim of Classic Design Services, Inc., for damages alleged to have been sustained as a result of driving over a pothole on March 14, 2001 at 342 Armour Drive.

[02R0943 \(34\)](#) Claim of Octavia White, for damages alleged to have been sustained as a result of an automobile accident on March 21, 2001 at 1977 Martin Luther King, Jr. Drive, SW.

CONSENT AGENDA SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

PUBLIC SAFETY AND LEGAL

ADMINISTRATION COMMITTEE - CEASAR C. MITCHELL, CHAIR

Claims with Unfavorable Recommendations:

[02R0944 \(35\)](#) Claim of Tina Cunningham, through her attorney, Kevin L. Ward, for damages alleged to have been sustained as a result of police misconduct on September 27, 2001 at 4650 ASR Road.

[02R0945 \(36\)](#) Claim of Robin Henry, Charlotte Henry and Sahara Henry surviving children of Robert Charles Henry, through their attorney, W. James Moore, for damages alleged to have been sustained as a result of the shooting death of their father on November 2, 2001 at 885 Bouldercrest Drive.

[02R0946 \(37\)](#) Claim of Melvynne C. Reed, for damages alleged to have been sustained as a result of a vehicular accident on April 19, 2002 at Interstate 20 between Moreland Avenue and the Glenwood Memorial Connector.

[02R0947 \(38\)](#) Claim of Yvette W. Patterson, for damages alleged to have been sustained as a result of vehicular damage due to a pothole on October 8, 2001 at Edgewood Avenue and Butler Street.

CONSENT AGENDA SECTION II

ORDINANCES FOR FIRST READING

PUBLIC SAFETY AND LEGAL

ADMINISTRATION COMMITTEE - CEASAR C. MITCHELL, CHAIR

[02O0973 \(1\)](#) An Ordinance by Public Safety and Legal Administration Committee authorizing the settlement of all claims against Officer J. A. Veerkamp in the case of Louis Bray v. Officer J. A. Veerkamp et al., filed in the Superior Court of Fulton County, Civil Action File No.: 00VS002758G, to cause payment to be made in the amount of (\$30,000.00); to waive conflicting ordinances; and for other purposes.

TO BE REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

TRANSPORTATION COMMITTEE - H. LAMAR WILLIS, CHAIR

[02O0908 \(2\)](#) An Ordinance by Transportation Committee authorizing the Mayor or her designee to make the intersection of Joe Louis Drive, NW and Pansy Street an All-Way Stop.

TO BE REFERRED TO TRANSPORTATION COMMITTEE

[02O0909 \(3\)](#) An Ordinance by Transportation Committee authorizing the Mayor or her designee to make the intersection of Eastwood Avenue, SW and Eden Avenue an All-Way Stop.

TO BE REFERRED TO TRANSPORTATION COMMITTEE

CITY UTILITIES COMMITTEE - CLAIR MULLER, CHAIR

[02O0901 \(4\)](#) An Ordinance by City Utilities Committee amending the 2002 (2001 Water and Wastewater Bond Fund) Budget in an amount not to exceed \$13,000,000.00 to fund the Citywide Insituform Improvements; and for other purposes.

TO BE REFERRED TO CITY UTILITIES COMMITTEE

COMMUNITY DEVELOPMENT/HUMAN

RESOURCES COMMITTEE CLETA WINSLOW, CHAIR

ORDINANCE FOR SECOND READING

[02R0893 \(1\)](#) A Resolution by Community Development/Human Resources Committee authorizing the Mayor to enter into a contract with the participating organizations of the Atlanta Business Development Initiative (ABDI) for the delivery of training, technical support and financial assistance for start-up and existing businesses and for expanding female and minority owned businesses in an amount not to exceed \$615,716.00; and for other purposes.

FORWARDED WITHOUT RECOMMENDATION ON CONDITION OF RECEIVING AN INFORMATION PACKAGE FROM ATLANTA ONE STOP CAPITAL SHOP (5 YEA'S)

(1-NAY) (1 ABSTENTION)

PAPERS HELD IN COMMITTEE

[02O0084 \(1\)](#) 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)

[02O0837 \(2\)](#) An Ordinance by Councilmember Clair Muller to amend the City of Atlanta Code of Ordinances, Section 110-60 to require that all City Parks close 30 minutes following sunset and open 30 minutes following sunrise; and for other purposes. (Held 5/14/02)

[02O0599 \(3\)](#) An Ordinance by Community Development/Human Resources Committee amending the Atlanta Outdoor Festivals Ordinance of 2000 so as to provide that the Commissioner of the Department of Parks, Recreation and Cultural Affairs shall perform the functions presently delegated to the Chief of Staff; and for other purposes. (Favorable by CD/HR on 4/9/02) (Referred back by Council 5/6/02) (Held 5/14/02)

[02O0520 \(4\)](#) An Ordinance by Community Development/Human Resources Committee amending the City of Atlanta Tree Protection Ordinance, Article 2 of Chapter 158 of the Atlanta City Code (1995), so as to exempt affordable housing units and economic development projects from recompense fees; and for other purposes. (Held 4/09/02) (Worksession held 5/8/02)

COMMUNITY DEVELOPMENT (2)/ CLETA WINSLOW, CHAIR

HUMAN RESOURCES COMMITTEE

PAPERS HELD IN COMMITTEE (CONT'D)

[02R0597 \(5\)](#) A Resolution by Community Development/Human Resources Committee authorizing the Mayor to enter into a contract with the Mechanicsville Civic Association (MCA) to assist the City in implementing project activities

under the Mechanicsville Urban Redevelopment/Section 108 Project in an amount not to exceed \$113,047.00; and for other purposes. (Held 4/09/02)

[02O0850 \(6\)](#) An Ordinance by Councilmember Howard Shook to amend

CDP-02-13 the Land Use Element of the City of Atlanta 2002 Comprehensive Development Plan (CDP) so as to re-designate property that is located at the rear of 3694 Peachtree Road and a portion of 3700 Peachtree Road, from the "High Density Residential" Land Use Designation to the "Single Family Residential" Land Use Designation; and for other purposes. (Held 5/14/02) (Held for a Public Hearing on 6/10/02)

NPU-B Council District 7

[02O0856 \(7\)](#) An Ordinance by Councilmember Anne Fauver to amend the

CDP-02-14 Land Use Element of the City of Atlanta 2002 Comprehensive Development Plan (CDP) so as to re-designate property that is located north of Maiden Lane between North Highland Avenue to the east and the Southern Railroad Corridor to the west currently zoned RG-2, from the "Low Density Residential 9 to 16 units per acre" Land Use Designation to the "Low Density Residential 0 to 8 units per acre" Land Use Designation; and for other purposes. (Held 5/14/02) (Held for a Public Hearing 6/10/02)

NPU-F Council District 6

[02O0851 \(8\)](#) An Ordinance by Councilmembers Cleta Winslow and Mary Norwood adopting the 2003 City of Atlanta Comprehensive Development Plan: and for other purposes. (Held 5/14/02) (Held for a Public Hearing on 6/24/02)

[02O0864 \(9\)](#) An Ordinance by Councilmember Derrick Boazman to create the Crescent Hills/Hammond Park Village Housing Enterprise Zone; and for other purposes. (Held 5/14/02)

COMMUNITY DEVELOPMENT (3)/ CLETA WINSLOW, CHAIR

HUMAN RESOURCES COMMITTEE

PAPERS HELD IN COMMITTEE (CONT'D)

[02R0725 \(10\)](#) A Resolution by Community Development/Human Resources Committee amending the 2002 Home Owner Occupied Rehabilitation Program to give priority to residents of the Kirkwood and Center Hill Neighborhoods; authorizing the Mayor to submit an amendment to the 2002 Annual Action Plan to the U.S. Department of Housing and Urban Development; and for other purposes. (Held 5/14/02)

[02O0393 \(11\)](#) A Substitute Ordinance by Community Development/Human Resources Committee anticipating and appropriating \$1,842,500.00 for the Summer Food Service Program for the period December 1, 2001 through November 30, 2002; and for other purposes. (No Recommendation on Substitute by CD/HR Committee 5/14/02) (Referred back by Council 5/20/02) (Held 5/28/02)

[02R0803 \(12\)](#) A Resolution by Community Development/Human Resources Committee authorizing the Mayor to enter into a Renewal Agreement No. 1 with G. A. Food Services, Inc., for FC-7343-01 City of Atlanta Summer Food Program, on behalf of the Department of Planning, Development and Neighborhood Conservation in an amount not to exceed \$1,077,560.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 1B02 529002 Y31R0151ATUO; and for other purposes. (No Recommendation by CD/HR Committee 5/14/02) (Referred back by Council 5/20/02) (Held 5/28/02)

[02O0883 \(13\)](#) An Ordinance by Community Development/Human

CDP-02-15 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 54 and 34 Fairburn Road, NW, from the "Single Family Residential" Land Use Designation to the "Low Density Commercial" Land Use Designation; and for other purposes. (Held 5/28/02) (Public Hearing to be held on 6/10/02)

NPU-H Council District 10

COMMUNITY DEVELOPMENT (4)/ CLETA WINSLOW, CHAIR

HUMAN RESOURCES COMMITTEE

PAPERS HELD IN COMMITTEE (CONT'D)

[02O0884 \(14\)](#) An Ordinance by Community Development/Human

CDP-02-16 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 3379 Martin Luther King, Jr. Drive, NW, from the "Office/Institution" Land Use Designation to the "Low Density Commercial" Land Use Designation; and for other purposes. (Held 5/28/02) (Public Hearing to be held on 6/10/02)

NPU-H Council District 10

[02O0885 \(15\)](#) An Ordinance by Community Development/Human

CDP-02-17 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 1119 Memorial Drive, SE, from the "Industrial" Land Use Designation to the "Low Density Commercial" Land Use Designation; and for other purposes. (Held 5/28/02) (Public Hearing to be held on 6/10/02)

NPU-N Council District 5

[02O0886 \(16\)](#) An Ordinance by Community Development/Human

CDP-02-18 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 1030 Grant Circle, SE, from the "Industrial" Land Use Designation to the "Low Density Commercial" Land Use Designation; and for other purposes. (Held 5/28/02) (Public Hearing to be held on 6/10/02)

NPU-W Council District 1

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

PUBLIC SAFETY AND LEGAL

ADMINISTRATION COMMITTEE CEASAR C. MITCHELL, CHAIR

PAPERS HELD IN COMMITTEE

[02O0675 \(1\)](#) An Amended Ordinance by Public Safety and Legal Administration Committee to amend the Code of Ordinances, City of Atlanta, Georgia, Chapter 10, Article II, Division 2, Subdivision III, Section 10-109(h), so as to provide a method for an alcoholic beverage license applicant to certify that the property owner of the proposed licensed premises has been notified of Section 10-109(h); and for other purposes. (Referred back by Council 5/6/02) (Held 5/14/02)

[02O0853 \(2\)](#) An Ordinance by Councilmembers Carla Smith, C. T. Martin, Clair Muller, Mary Norwood, Natalyn Archibong, Debi Starnes, Howard Shook, Ivory Lee Young, Jr. and Ceasar C. Mitchell to amend Chapter 150, Article IV, Division 1 of the Atlanta City Code so as to add Section 150-99 prohibiting a person from stopping, standing or parking a vehicle on a sidewalk; and for other purposes. (Held 5/14/02)

[02O0957 \(3\)](#) An Ordinance by Councilmember Debi Starnes to amend Chapter 150, Article VII, Section 150-296 of the Code of Ordinances of the City of Atlanta prohibiting cruising by including additional downtown areas identified as “No Cruising Zones” to repeal conflicting ordinances; and for other purposes. (Held 5/28/02)

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

TRANSPORTATION COMMITTEE H. LAMAR WILLIS, CHAIR

PAPERS HELD IN COMMITTEE

[02O0461 \(1\)](#) An Ordinance by Councilmember Clair Muller setting City of Atlanta Policy regarding Land Inventory at Hartsfield International Airport. (Held 3/13/02)

[02R0676 \(2\)](#) A Resolution by Councilmember H. Lamar Willis authorizing the reimbursement to the Aviation Fund for expenses incurred on behalf of the General Fund in the amount of \$ as identified in the Internal Audit Report issued in 2000 and 2001; and for other purposes. (Held 4/10/02)

[02O0718 \(3\)](#) An Ordinance by Transportation Committee to amend Code of Ordinances, Part II-General Ordinances, Chapter 150 Traffic and Vehicles, Article IV, Stopping, Standing and Parking Division 4, Residential Permit Parking; and for other purposes. (Held 5/29/02)

[02O0839 \(4\)](#) An Ordinance by Councilmember Clair Muller to provide for “No Parking Anytime” signs along both sides of 6th Street from Peachtree Street to West Peachtree Street, bordering the Post Biltmore; and for other purposes. (Held 5/15/02)

[02O0956 \(5\)](#) An Ordinance by Councilmember Derrick Boazman authorizing the Mayor or her designee to make the street segment of Katherwood Drive, SW between Sylvan Road and Melrose Drive within the City of Atlanta No Parking Anytime. (Held 5/29/02)

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

ZONING COMMITTEE DEBI STARNES, CHAIR

ORDINANCE FOR FIRST READING

ZRB SUMMARY REPORT

FAVORABLE

| | | | | | | |
|---------------------------|---------|-----------------------|----------------------------|----------|----------|-----------|
| 02-O-0819 | U-02-08 | 2606 Alston Drive, SE | Community Service Facility | Approval | Approval | Favorable |
| | | (O-5) | | | | |

| | | | | | | |
|----------------------------------|---------|---|----------------------------------|----------|----------|-----------|
| <u>02-O-0818</u> | U-02-09 | 2750 Alston Drive, SE/264 East Lake Drive, SE | Community Service Facility | Approval | Approval | Favorable |
| | | (O-5) | | | | |

| | | | | | | |
|----------------------------------|---------|--|----------------|----------|----------|-----------|
| <u>02-O-0815</u> | U-02-11 | 3160 and Part of 3254 Northside Parkway, NW | Private School | Approval | Approval | Favorable |
| | | (C-8) | | | | |

| | | | | | | |
|----------------------------------|---------|-------------------------------|----------------|----------|----------|-----------|
| <u>02-O-0816</u> | U-02-12 | 3254 Northside Parkway, NW | Private School | Approval | Approval | Favorable |
| | | (C-8) | | | | |

FAVORABLE AS AMENDED

| | | | | | | |
|----------------------------------|---------|--|---------------|----------|----------|-----------|
| <u>02-O-0821</u> | Z-02-27 | Southside of 16 th Street, NW | C-4-C to PD-H | Approval | Approval | Favorable |
| | | (E-2) | | | | |

FAVORABLE ON

SUBSTITUTE AS AMENDED

| | | | | | | |
|----------------------------------|-----------------|---|---|--------------------------|--------------------------|----------------------------|
| <u>02-O-0360</u> | Z-02-01/Z-86-34 | 3260-3316 Peachtree Road, NE and 3317 and 3349 Piedmont Road, NE | Site Plan Amendment and Change of Conditions | Approval- Conditional | Approval- Conditional | Favorable on Substitute |
| | | (B-7) | | | | |

FAVORABLE ON

SUBSTITUTE

| | | | | | | |
|----------------------------------|-----------------|--|--|----------|----------|----------------------------|
| <u>02-O-0823</u> | Z-02-25/Z-00-68 | NE Corner of Glenwood Avenue and the Glenwood- Wylie Connector, SE | Site Plan Amendment and Change of Conditions | Approval | Approval | Favorable on Substitute |
| | | (W-5) | | | | |

| | | | | | | |
|---------------------------|-----------------|---|----------------------|--------------------------|----------|----------------------------|
| 02-O-0817 | U-02-10/U-99-33 | 3900 Bakers Ferry Road, SW (H-10) | Change of Conditions | Approval- Conditional | Approval | Favorable on Substitute |
|---------------------------|-----------------|---|----------------------|--------------------------|----------|----------------------------|

FILE

| | | | | | | |
|---------------------------|---------|--|--------------|----------|--------|------|
| 02-O-0046 | Z-01-69 | 3663-3667 Peachtree Road, NE (B-7) | RG-2 to RG-3 | Approval | Denial | File |
|---------------------------|---------|--|--------------|----------|--------|------|

| | | | | | | |
|---------------------------|---------|--|-------------|------|--|------|
| 02-O-0826 | Z-02-22 | 647 Darlington Circle, NE (B-7) | R-4 to PD-H | File | | File |
|---------------------------|---------|--|-------------|------|--|------|

HELD

| | | | | | | |
|---------------------------|---------|--|---------------|----------|----------|-----------|
| 02-O-0667 | Z-02-19 | 3379 M.L.K., Jr. Drive, NW (H-10) | R-4 to R-L-C* | Approval | Approval | Favorable |
|---------------------------|---------|--|---------------|----------|----------|-----------|

| | | | | | | |
|---------------------------|---------|--|---------------|--------------------------|----------|----------------------------|
| 02-O-0825 | Z-02-23 | 1030 (a.k.a. 380-390) Grant Circle, SE (W-1) | I-1 to C-1-C* | Approval- Conditional | Approval | Favorable on Substitute |
|---------------------------|---------|--|---------------|--------------------------|----------|----------------------------|

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02O0976 (1) An Ordinance by Zoning Committee to amend the 1982

Z-02-49 Zoning Ordinance of the City of Atlanta, as amended, so as to expand the West End Historic District, 20G; to enact, by reference and incorporation, a map establishing the boundaries of said expansion of the West End Historic District; and to designate and zone all properties lying within the boundaries of said expansion to the underlying zoning category of Historic District (HD) pursuant to the Chapter 20 of the Zoning Ordinance of the City of Atlanta, rezoning from R5 (Two-Family Residential) and RG-3-C (Residential General District, Sector 3, Conditional) to R5/HD (Two-Family Residential/Historic District) and RG-3-C/HD (Residential General District, Sector 3, Conditional/Historic District), HD20G West End Historic District; to repeal conflicting laws; and for other purposes.

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

PAPERS HELD IN COMMITTEE

02O0110 (1) An Ordinance by Zoning Committee to rezone from the R-4

Z-01-101 (Single-Family Residential) District to the PD-H (Planned Development-Housing) District, property located at 2515 Old Hapeville Road, SW, fronting approximately 655 feet on the westerly side of Old Hapeville Road beginning approximately 391.26 feet northeasterly from the northwest corner of Judy Lane. Property also fronts approximately 197.35 feet on the south side of Pryor Road/Pegg Road Right-of-Way. (Held 5/15/02)

Depth: Varies

Area: 28.4079 Acres

Land Lot: 69, 14th District, Fulton County, Georgia

Owner: Louis P. Gangarosa

Applicant: Same

NPU-Z Council District 12

02O0181 (2) An Ordinance by Zoning Committee designating the Medical

Z-02-07 Arts Building, located at 384 Peachtree Street, NW, Land Lot 50 of the 14th District of Fulton County, Georgia and certain real property on which it is located, to the Overlay Zoning Designation of Landmark Building or Site pursuant to Chapter 20 of the Zoning Ordinance of the City of Atlanta and rezoning from SPI-1 (Central Core) to SPI-1/LBS (Central Core/Landmark Building or Site); to repeal conflicting laws; and for other purposes. (Held 5/15/02)

ZONING COMMITTEE DEBI STARNES, CHAIR

PAPERS HELD IN COMMITTEE (CONT'D)

02O0477 (3) A Substitute Ordinance by Zoning Committee to rezone from

Z-02-13 the RG-2 (Residential General-Sector 2) District to the C-1 (Community Business) District, property located at 18-34-54 Fairburn Road, SW, fronting 406.32 feet on the east side of Fairburn Road beginning 243.2 feet south from the southeast corner of Martin Luther King, Jr. Drive. (Held 5/15/02)

Depth: Varies

Area: 2.19 Acres More or Less

Land Lot: 243, 14th District, Fulton County, Georgia

Owner: Dwight Jackson

Applicant: Byron Washington

NPU-H Council District 10

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

LEGISLATION IN ZRB

[02O0869 \(1\)](#) An Ordinance by Zoning Committee to rezone from the I-2

Z-02-29 (Heavy Industrial) District to the PD-MU (Planned Development-Mixed Use) District, property located at 810 Lake Avenue, NE, fronting 696.02 feet on the southwesterly side of North Highland Avenue beginning approximately 646.2 feet from the southwest corner of North Highland Avenue and Elizabeth Street. Property also having frontage of approximately 904.08 feet on the northwesterly side of Lake Avenue.

Depth: Varies

Area: Approximately 20.98 Acres

Land Lot: 19 of the 14th District, Fulton County, Georgia

Owner: The Mead Corporation

Applicant: WP South Acquisitions, LLC

By: Nathan V. Hendricks, III

NPU-N Council District 2

[02O0870 \(2\)](#) An Ordinance by Zoning Committee to rezone from the R-4

Z-02-32 (Single Family Residential) District to the R-LC (Residential-Limited Commercial) District, property located at 2230 Cascade Road, SW, fronting 50 feet on the southwesterly side of Cascade Road approximately 400 feet from the southwest corner of Delowe Drive and Cascade Road.

Depth: 200 Feet

Area: .228 Acre

Land Lot: 184 of the 14th District, Fulton County, Georgia

Owner: Jacob Hodge

Applicant: Same

NPU-R Council District 11

[02O0871 \(3\)](#) An Ordinance by Zoning Committee to rezone from the R-4

Z-02-33 (Single Family Residential) District to the PD-H (Planned Development-Housing) District, property located at 787 Francis Place, NW, fronting 213 feet on the easterly side of Francis Place beginning at the southeast corner of Grove Park Place and Francis Place. Property also fronts 288.38 feet on the southerly side of Grove Park Place.

Depth: Varies

Area: 1.05 Acres

Land Lot: 145 of the 14th District, Fulton County, Georgia

Owner: Randy Kluting

Applicant: Kevin C. Dillon

NPU-J Council District 9

LEGISLATION IN ZRB (2)

[02O0872 \(4\)](#) An Ordinance by Zoning Committee to rezone from the R-4

Z-02-34 (Single Family Residential) and the I-1 (Light Industrial) Districts to the PD-MU (Planned Development-Mixed Use) District, property located at Redwine Road, SW, Tract 1, fronting approximately 1,145.41 feet on the southeasterly side of Fairburn Road, SW, beginning approximately 1,025.6 feet from the southeast corner of Welcome All Road. Property also fronts approximately 439.21 feet on the southeasterly side of Hogan Road; Tract 2, fronting approximately 193.63 feet on the southwesterly side of

Fairburn Road beginning approximately 305 feet from the southeast corner of Hogan and Fairburn Roads.

Depth: Varies

Area Tract 1: 409.03 Acres

Tract 2: 19.3 Acres;

Land Lots: 35, 36 & 254 of the 14th District, and

Land Lots: 2, 3 & 4 of the 14FF District Fulton County, Georgia

Owner: Larry Nelson

Applicant: The Bentley Group, Ltd.

By: Larry M. Dingle

NPU-P Council District 11

[02O0873 \(5\)](#) An Ordinance by Zoning Committee to rezone from the R-4A

Z-02-35 (Single-Family Residential) District to the C-1 (Community Business) District, property located at 1366 Memorial Drive SE, fronting approximately 50 feet on the west side of Whitefoord Street beginning at the northwest corner of Memorial Drive and Whitefoord Street.

Depth: 190 Feet

Area: .218 Acre

Land Lot: 208 of the 15th District, Dekalb County, Georgia

Owner: Alfred Wittingham

Applicant: Same

NPU-O Council District 5

[02O0874 \(6\)](#) An Ordinance by Zoning Committee to rezone from the R-5

Z-02-36 (Two-Family Residential) District to the RG-2 (Residential General - Sector 2) District, property located at 605, 617 and 625 Mead Street, SE, fronting 247.61 feet on the south side of Mead Street beginning 180 feet east of Boulevard.

LEGISLATION IN ZRB (3)

Depth: Varies

Area: 1.66 Acres

Land Lot: 23 of the 14th District, Fulton County, Georgia

Owner: Ted Jacobson and Michael Baker

Applicant: Bentley Properties, Inc.

By: M. Hakim Hilliard

NPU-W Council District 1

[02O0875 \(7\)](#) An Ordinance by Zoning Committee to rezone from the I-1-

Z-02-37 C (Light Industrial - Conditional) and the R-5 (Two-Family Residential) Districts to the C-2-C (Commercial Service-Conditional) District, property located at 1258-1278 Dekalb Avenue and 255 Elmira Place, NE, fronting 382.5 feet on the northerly side of Dekalb Avenue beginning at the northwesterly corner of Candler Street and Dekalb Avenue.

Depth: Varies

Area: 2.18 Acres

Land Lot: 209 of the 15th District, Dekalb County, Georgia

Owner: G & K Services, Co.

Applicant: Gregory Wohl

By: Sharon A. Gay

NPU-N Council District 6

[02O0877 \(8\)](#) An Ordinance by Zoning Committee to rezone from the I-2

Z-02-39 (Heavy Industrial) District to the C-1-C (Community Business-Conditional) District, property located at 1031 Huff Road, NW, fronting 96 feet on the north side of Huff Road beginning northwest corner of Booth Avenue and Huff Road.

Depth: 100 Feet

Area: .22 Acre

Land Lot: 188 of the 17th District, Fulton County, Georgia

Owner: Jerry J. Goux

Applicant: Same

NPU-D Council District 8

[02O0878 \(9\)](#) An Ordinance by Zoning Committee to rezone from the R-4

Z-02-40 (Single-Family Residential) District to the PD-H (Planned Development-Housing) District, property located at 3535 Boulder Park Drive, NW, fronting 85 feet on the north side of Boulder Park Drive beginning 368.5 feet from the northeast corner of Howell Terrace and Boulder Park Drive.

LEGISLATION IN ZRB (4)

Depth: Varies

Area: 5.0712 Acres

Land Lot: 244 of the 14th District, Fulton County, Georgia

Owner: Allen Sheppard

Applicant: Mayweather Enterprise, Inc.

NPU-H Council District 10

[02O0879 \(10\)](#) An Ordinance to by Zoning Committee rezone from the

Z-02-41 Fulton County Zoning Classification of AG-1 (Agriculture) District to the PD-MU (Planned Development-Mixed Use) District, property being annexed into the City of Atlanta located in Unincorporated Fulton County north of Camp Creek Parkway in Land Lot 1 of the 14FF District, fronting 3,185.22 feet on the northerly side of Camp Creek Parkway beginning at the northwest corner of Land Lot 1 of the 14FF District.

Depth: Varies

Area: 41.49 Acres

Land Lot: 1 of the 14FF District, Fulton County, Georgia

Owner: Larry Nelson

Applicant: The Bentley Group, Ltd.

By: Larry M. Dingle

NPU-P Council District 11

[02O0880 \(11\)](#) An Ordinance by Zoning Committee for a Special Use Permit

U-02-14 for a Church, for property located at 2387 Summit Avenue, NW, fronting 204 feet on the northwesterly side of Summit Avenue, beginning 23.48 feet from the northeast corner of First Street and Summit Avenue.

Depth: Varies

Area: 1.02 Acres

Land Lot: 248 of the 17th District, Fulton County, Georgia

Owner: Memorial Church of God in Christ

Applicant: Jim R. Mattox

NPU-G Council District 9

[02O0059 \(12\)](#) An Ordinance by Councilmember Debi Starnes to rezone

Z-01-92 from the R-5 (Two-Family Residential) District to the PD-H (Planned Development-Housing) District, property located at 573 Johnson Avenue, NE beginning 146.79 feet west from the southwest corner of Randolph Street.

LEGISLATION IN ZRB (5)

Depth: Varies

Area: Approximately 0.73 Acre

Land Lot: 46, 14th District, Fulton County, Georgia

Owner: Byron Washington

Applicant: William L. Stephenson

NPU-M Council District 2

[02O0244 \(13\)](#) An Ordinance by Councilmember Anne Fauver to amend

Z-01-17 Chapter 20B Druid Hills Landmark District, of the 1982 Zoning Ordinance of the City of Atlanta, as amended, by modifying the Statement of Intent, correcting certain references within said Chapter 20B, amending the Landscape Standards, providing for all variances to be heard and decided by the Urban Design Commission; and for other purposes.

[02O0253 \(14\)](#) An Ordinance by Councilmembers Clela Winslow, Jim

Z-02-18 Maddox Derrick Boazman, H. Lamar Willis, Anne Fauver, Ceasar C. Mitchell and Natalyn Archibong to amend the City of Atlanta Zoning Ordinance, as amended so as to rezone certain properties within the Pittsburgh Redevelopment Plan Area from various districts to various districts to implement the Pittsburgh Redevelopment Plan; and for other purposes.

[02O0358 \(15\)](#) An Ordinance by Zoning Committee to amend Ordinance Z-

Z-02-03/ 84-52, adopted by City Council August 6, 1984 and

Z-84-52 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. Hendircks III, Esq., Attorney

NPU-B Council District 8

[02O0359 \(16\)](#) An Ordinance by Zoning Committee to amend Ordinance

Z-02-02/ Z-84-52, adopted by City Council August 6, 1984 and

Z-84-52 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.

LEGISLATION IN ZRB (6)

Owner: Buckhead Plaza Land Trust

Applicant: Stafford Plaza LLC and TCRA Properties

By: Carl E. Westmoreland, Esq., Attorney

NPU-B Council District 8

[02O0476 \(17\)](#) An Ordinance by Zoning Committee to rezone from the R-5

Z-02-12 (Two-Family Residential) District to the RG-3 (Residential General-Sector 3) District, property located at 626 Somerset Terrace, NE, fronting 50 feet on the west side of Somerset Terrace beginning approximately 40 feet north from the northwest corner of North Avenue.

Depth: 192.52 Feet

Area: 9,626 Square Feet

Land Lot: 17, 14th District, Fulton County, Georgia

Owner: Cooper Richter

Applicant: Robert J. Denson

NPU-N Council District 2

[02O0591 \(18\)](#) An Ordinance by Zoning Committee to amend the 1982 City of Atlanta Zoning Ordinance, as amended, so as to amend Section 16-28.008 (10) so as to permit a vendor permitted to conduct business on a specific parcel of property to conduct business at that location indefinitely.

[02O0696 \(19\)](#) An Ordinance by Zoning Committee to amend Ordinance Z-01-53/Z-84-96, as amended, as adopted by City Council December 3, 1984 and approved by the Mayor on December 5, 1984 rezoning from the O-I (Office-Institutional), O-I-C (Office-Institutional-Conditional) and R-3 (Single Family Residential) Districts to the PD-OC (Planned Development-Office Commercial) District, property located at 3495-3525-3565 Piedmont Road, NE, for the purpose of deleting conditions on the site plan, as amended by the Council on November 5, 2001 and approved by City Charter Section 2-403 on November 14, 2001 and replacing said conditions with new conditions contained in this ordinance.

Owner: Piedmont Ivy Associates, LLC

Applicant: Same

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

NPU-B Council District 7

LEGISLATION IN ZRB (7)

[02O0849 \(20\)](#) An Ordinance by Councilmember Howard Shook to rezone from the RG-2 (Residential General - Sector 2) District to the R-3 (Single-Family) District, property located at 3714, 3717 and 3727 Vermont Road, NW, Tract 1 fronting approximately 100 feet on the southwesterly side of Vermont Road beginning approximately 300 feet from the northwest corner of Peachtree Road and Vermont Road; Tract 2 fronting approximately 200 feet on the northwesterly side of Vermont Road beginning approximately 300 feet from the northeast corner of Peachtree Road and Vermont Road.

Depth: Varies

Area: Tract 1 1.34 Acres

Tract 2 2.89 Acres

Land Lot: 10, 17th District, Fulton County, Georgia

NPU-B Council District 7

[02O0822 \(21\)](#) An Ordinance by Councilmember Debi Starnes to

Z-02-26 rezone from the R-5 (Two-Family Residential) District to the RG-3 (Residential General-Sector 3) District, property located at 80 Jackson Street, SE/71 Lucy Street, SE (a.k.a. 76

Jackson Street, SE)/77 Lucy Street, SE, fronting 99.77 feet on the easterly side of Jackson Street beginning at the southeast corner of Lucy Street. Property also fronts 97.42 feet on the west side of Lucy Street.

Depth: 121.75 Feet

Area: 0.262 Acre

Land Lot: 45, 14th District, Fulton County, Georgia

Owner: Gregory B. Evans

Applicant: William L. Stephenson

NPU-M Council District 5

[02O0824 \(22\)](#) An Ordinance by Councilmember Debi Starnes to rezone

Z-02-24 from the R-4A (Single-Family Residential) District, R-5 (Two-Family Residential) District and I-2 (Heavy Industrial) District to the PD-H (Planned Development-Housing) District, property located at 2101 Spink Street, N.W, fronting approximately 1,011.18 feet on the northwesterly side of Spink Street beginning at the west line of Land Lot 245. Property also fronts approximately 306.2 feet on the southerly side of Brantley Street.

Depth: Varies

Area: Approximately 8.13 Acres

Land Lot: 245, 17th District, Fulton County, Georgia

Owner: Brantley Street, LLC

LEGISLATION IN ZRB (8)

Applicant: Same

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

NPU-D Council District 9

[02O0827 \(23\)](#) An Ordinance by Councilmember Debi Starnes to rezone

Z-02-21 from the R-4A (Single-Family Residential) District to the R-4B (Single-Family Residential) District, property located at 2498 (a.k.a. 2484) Forrest Avenue, NW, fronting 79.71 feet on the westerly side of Forrest Place beginning at the southwest corner of Forrest Avenue.

Depth: 196.40 Feet

Area: 11,424 Square Feet

Land Lot: 253, 17th District, Fulton County, Georgia

Owner: Mark Mather

Applicant: Same

NPU-D Council District 9

[02O0828 \(24\)](#) An Ordinance by Councilmember Debi Starnes to rezone

Z-02-20 from the I-1 (Light Industrial) District to the C-1 (Community Business) District, property located at 1111-1119 Memorial Drive, SE, fronting 149.95 feet on the southeasterly side of Memorial Drive beginning at the southwest corner of Howell Drive.

Depth: Varies

Area: 2.22 Acres

Land Lots: 12 and 13, 14th District, Fulton County, Georgia

Owner: Patricia Elmore

Applicant: Ornstein Investments, LLC and

Preston and Associates

By: Matt Ornstein

NPU-N Council District 5

[02O0829 \(25\)](#) An Ordinance by Councilmember Debi Starnes to amend

Z-02-15/ Ordinance Z-81-41, as amended, adopted by City Council

Z-81-41 December 7, 1981 and approved by Operation of Law December 15, 1981 rezoning from the R-6 (Residential)

District to the A-1-C (Apartment-Conditional) (Now RG-3-C (Residential General-Sector 3-Conditional) District, property located at 1126-1128-1130-1136-1146-1156-1166 Ponce de Leon Avenue, NE, for the purpose of approving a Revised Site Plan for a portion of said property, specifically 1136-1146 Ponce de Leon Avenue, NE.

Owner: Glen Chouinard

Applicant: David Green

NPU-F Council District 6

LEGISLATION IN ZRB (9)

[02O0113 \(26\)](#) An Ordinance by Zoning Committee granting a Special Use

U-01-56 Permit for a Scrap Metal Processor (Recycling Facility) (Section 16-17.005 (1) (c), property located at 1211-1215 Sylvan Road, SW, fronting 600.15 feet on the west side of Sylvan Road beginning at the southwest corner of Avon Avenue.

Depth: Varies

Area: 6.547 Acres

Land Lot: 120, 14th District, Fulton County, Georgia

Owner: Byron Kopman

Applicant: Metal Asset Acquisition, LLC

By: Carl E. Westmoreland, Jr.

NPU-X Council District 12

[02O0814 \(27\)](#) An Ordinance by Councilmember Debi Starnes granting a

U-02-13 Special Use Permit for a Park-For-Hire Facility (Section 16-11.005(1)(k)), property located at 181 Ralph David Abernathy Boulevard, SW, fronting 141.61 feet on the west side of Central Avenue beginning at the northwest corner of Ralph David Abernathy Boulevard. Property also fronts 100.07 feet on the east side of Pryor Street.

Depth: Varies

Area: 33,843 Square Feet

Land Lot: 75, 14th District, Fulton County, Georgia

Owner: Saint Stephen Missionary Baptist Church

Applicant: Tarlee W. Brown

NPU-V Council District 4

[02O0960 \(28\)](#) An Ordinance by Councilmembers Debi Starnes and Carla Smith to amend the 1982 Zoning Ordinance of the City of Atlanta, as amended, so as to amend Chapter 20L, Inman Park Historic District for the purpose of changing the designation of certain structures from Contributing to Non-Contributing or from Non-Contributing to Contributing; and for other purposes.

FINANCE/EXECUTIVE COMMITTEE FELICIA A. MOORE, CHAIR

02-TR-0977 (1) Report of the Chief Financial Officer to transfer appropriations from one line item to another line item to various funds as approved under Section 6-304(b) of the Charter of the City of Atlanta.

RESOLUTION

[02R0902 \(1\)](#) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into an appropriate contractual agreement for FC-6819-97, Tenth Ward Sanitary Sewer Improvements, Phase II, Contract 3 with Site Engineering, Inc., in an amount not to exceed \$522,177.50. All contracted work shall be charged to and paid from the following Fund, Account and Center Number: 2J26 573001 M24I02469999.

FORWARD WITH NO RECOMMENDATION ON CONDITION

(3 YEA'S) (3 NAY'S)

PAPERS HELD IN COMMITTEE

[02O0037 \(1\)](#) An Ordinance by Councilmember Felicia A. 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) (Held for Work Session)

[02R0363 \(2\)](#) 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) (Held for Work Session)

[02O0373 \(3\)](#) An Ordinance by Councilmember C. T. Martin as amended by Finance/Executive Committee to establish an Atlanta in Fulton County, and an Atlanta in Dekalb Taxation Commission to undertake a comprehensive review of the appraisal and assessment process. (Amended and Held 2/27/02) (Held for Work Session)

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

PAPERS HELD IN COMMITTEE (CONT'D)

[02O0375 \(4\)](#) 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. 2nd Reading, 1ST Adoption (Held 2/27/02)

[02O0385 \(5\)](#) 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)

[02O0459 \(6\)](#) An Ordinance by Councilmembers C. T. Martin, H. Lamar Willis, Mary Norwood, Cesar C. Mitchell

and Ivory Lee Young, Jr., as amended by Finance/Executive Committee to amend the Pension Acts applicable to the City of Atlanta so as to provide for a Temporary Early Retirement Program based upon a combination of age and years of service for employees in the General Employees Pension Fund; and for other purposes. (Held 3/13/02) (Referred to Pension Board)

[02R0470 \(7\)](#) A Resolution by Councilmembers Felicia A. Moore and Howard Shook stating the intent of the Council to establish an independent "Financial Review Task Force" for the purpose of auditing the City's General and Sanitary Services Fund Budgets for the last 5 years, specifically, and the trend of the past 10-20 years, in general; seeking "Pro Bono" Assistance from the Business Community and individuals to become members of said Task Force; providing for the appointment of said Task Force Members by the Audit Committee and confirmation by the Council and Mayor; requiring the development of a work plan to be accepted by the Council and Mayor; requesting a final report of the Task Force's findings; and for other purposes. (Held 3/13/02)

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

PAPERS HELD IN COMMITTEE (CONT'D)

[02O0565 \(8\)](#) An Ordinance and Charter Amendment by Councilmembers H. Lamar Willis, Mary Norwood and Ceasar C. Mitchell adopted under and by virtue of the authority of the Municipal Home Rule Act of 1965 Official Code of Georgia Section 36-35-1, et seq., as amended, so as to amend the Charter of the City of Atlanta, Georgia 1996 Ga. Laws p. 4469, et seq., by amending Section 3-505 to exempt retired sworn public safety personnel from the one-year limitation of temporary employment; to repeal conflicting ordinances; and for other purposes. (2nd Reading, 1st Adoption) (Held 3/27/02)

[02O0679 \(9\)](#) An Ordinance by Councilmember Clair Muller to amend Ordinance No. 94-O-0445 so as to provide that any contract between the City of Atlanta and the City of Atlanta Solid Waste Management Authority be for any purpose for which the authority is authorized to undertake pursuant to O.C.G.A. §12-8-56, to repeal conflicting ordinances; and for other purposes. (No Recommendation by City Utilities 4/9/02) (Referred to Finance/Executive Committee 5/6/02) (Held 5/15/02)

[02O0683 \(10\)](#) An Ordinance by Councilmember Clair Muller amending Article 1, Section 2 of the Code of Ordinances to add a new provision requiring the registration and identification of Lobbyists on City property; to repeal conflicting ordinances to the extent of the conflict with this ordinance; and for other purposes. (Held 4/10/02)

[02R0810 \(11\)](#) A Resolution by Finance/Executive Committee authorizing the Mayor to issue a Notice to Proceed with TDC Systems Integration, for FC-7341-01, Annual Contract for Structured Wiring Cabling and Network Connectivity for the installation and Configure of Network Appliance Filer on behalf of the Department of Aviation based on hourly billing rates and equipment component pricing in an amount not to exceed \$115,070.00. All contracted work shall be charged to and paid from Fund, Account, Center Number: 2H01 521106 R12006. (Held 5/15/02)

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

PAPERS HELD IN COMMITTEE (CONT'D)

[02O0791 \(12\)](#) An Ordinance by Finance/Executive Committee to amend the General Employees Pension Fund Law Adopted by Ga. L. 1927, et seq. so as to amend Ordinance Number 01-O-0064, the establishment of a Defined Contribution Retirement Plan, so as to provide for the inclusion of all elected and appointed officials; to clarify the rights of General Employees Pension Fund provided for the transfer of the present actuarial value of an employee's plan benefit under the General Employees Pension Fund into the defined contribution plan; to incorporate, by reference, the provisions of the plan document; and for other purposes.

(Held 5/29/02) (Refer to General Employee Pension Fund)

[02O0955 \(13\)](#) An Ordinance by Councilmembers Derrick Boazman to amend Section 2-1105(b) of the Code of Ordinances of the City of Atlanta, so as to require that all persons, organizations/entities which operate, oversee or otherwise manage, City-owned facilities or properties, under contract with the City, adhere to the rules, regulations and the operational procedures of the City's Purchasing Code. (Held 5/29/02)

[02O0963 \(14\)](#) An Ordinance by Councilmember Clair Muller authorizing the Mayor or her designee to implement an environmentally responsible purchasing policy; and for other purposes. (Held 5/29/02)

[02O0965 \(15\)](#) An Ordinance by Councilmember Clair Muller to amend the Festival Ordinance to provide for additional permit requirements for municipal services for festival organizers.

(Held 5/29/02) (Refer to NPU's and APAB)

[02O0806 \(16\)](#) An Ordinance by Finance/Executive to amend Ordinance [02O0185, Section 146-26 \(b\), \(c\), \(d\), \(e\) and \(f\) of the Code of Ordinances of the City of Atlanta, so as to change the Ad Valorem Tax Rate of real and personal property for the General Levy, Debt Levy, City Parks Levy, School Operating Levy, School Debt Levy and the Special Tax District Levy; to provide that the tax rates established herein shall remain fixed each year until amended or repealed; to repeal conflicting laws; and for other purposes. \(Held for Public Hearing, June 3, June 10 and June 17\)](#)

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

COMMITTEE ON COUNCIL ANNE FAUVER, CHAIR

COMMUNICATIONS

[02C0741 \(1\)](#) A Communication by Mayor Shirley Franklin appointing Mr. Frank McComb to the License Review Board. This appointment is for a term of two years, scheduled to begin on the date of Council confirmation. (Favorable by Public Safety and Legal Administration Committee 5/28/02)

[02C0799 \(2\)](#) A Communication by Council President Cathy Woolard appointing Mr. Alexander F. Levy to the City's Tree Conservation Commission. This appointment is for a term of two years, scheduled to begin on the date of Council confirmation. (Favorable by Community Development/ Human Resources Committee, 5/28/02)

[02C0890 \(3\)](#) A Communication by Councilmembers Felicia A. Moore, C. T. Martin and H. Lamar Willis appointing Mrs. Jean Delois Redding to the Atlanta Urban Design Commission in the category of Neighborhood Representative. This appointment is for a term of three years, scheduled to begin on the date of Council confirmation. (Favorable by Community Development/Human Resources Committee 5/28/02)

[02C0891 \(4\)](#) A Communication by Councilmembers Ceasar Mitchell, Ivory Lee Young, Jr. and Cleta Winslow appointing Ms. Cheryl McAfee-Mitchell to the Atlanta Urban Design Commission in the category of Architect I for a term of three years, scheduled to begin on the date of Council confirmation. (Favorable by Community Development/Human Resources Committee 5/28/02)

[02C0970 \(5\)](#) A Communication by Councilmember Cleta Winslow correcting a previously adopted communication by appointing Mr. Davey L. Gibson, if it is the Council's will to the Atlanta Development Authority Board of Directors. This appointment is for a term of four years, scheduled to begin on the date of Council confirmation. (Favorable by Community Development/Human Resources Committee 5/28/02)

COMMITTEE ON COUNCIL (2) ANNE FAUVER, CHAIR

ORDINANCES FOR SECOND READING

[02O0848 \(1\)](#) An Ordinance by Councilmembers Anne Fauver and Howard Shook amending 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 Section 2-308(b), Chapter 3, Article 2, 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 restructure the personnel operations in the Office of the President of the Atlanta City Council; to repeal conflicting ordinances; and for other purposes. (3rd Reading, Final Adoption)

[02O0860 \(2\)](#) An Ordinance by Councilmember Anne Fauver amending 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 Section 3-401, Chapter 4, Article 3, 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 delete Section 3-401 entitled "General", under Chapter 4- Boards and Commissions, in its entirety and replace it with a new and expanded Section 3-401-General; to repeal conflicting ordinances; and for other purposes. (3rd Reading, Final Adoption)

[02O0859 \(3\)](#) An Ordinance by Councilmembers Anne Fauver and Howard Shook to add the Code of Ethics as part of the Oath of Office for members of Boards, Councils, Commissions and Authorities established by the Council; to repeal conflicting ordinances; and for other purposes. (Favorable by Committee on Council 5/20/02; referred back from Full Council 5/20/02)

[02O0862 \(4\)](#) An Ordinance by Councilmembers Anne Fauver and Howard Shook to add the Code of Ethics as part of the Oath of Office for all officials of the City of Atlanta; to repeal conflicting ordinances; and for other purposes. (Favorable by Committee on Council 5/20/02; referred back from Full Council 5/20/02)

COMMITTEE ON COUNCIL (3) ANNE FAUVER, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

[02O0863 \(5\)](#) An Ordinance by Councilmembers Anne Fauver and Howard Shook as substituted by the Atlanta City Council amending 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 Section 2-301, Chapter 3, Article 2, 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 the Code of Ethics as part of the Oath of Office for the Mayor, President of the Council, and Council Members; to add other language to be consistent with State Law; to repeal conflicting ordinance; and for other purposes. (3rd Reading, Final Adoption)

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)

[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)

[02O0840 \(3\)](#) An Ordinance by Councilmember Clair Muller amending Section 2-813(b) and Section 2-814(b) of Chapter 2 of the City Code of Ordinances entitled "Standards of Conduct". (Held 5/20/02)

[02O0841 \(4\)](#) An Ordinance by Councilmember Clair Muller to effectuate a Home Rule Charter Amendment 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 1-

COMMITTEE ON COUNCIL (4) ANNE FAUVER, CHAIR

PAPERS HELD IN COMMITTEE (CONT'D)

102 (entitled Powers) 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 City's authority to accept gifts to the City on the donor's terms and conditions to the City's authority to accept gifts to the City on the City's terms and conditions, to repeal conflicting ordinances and charter provisions; and for other purposes. (2nd Reading, 1st Adoption) (Held 5/20/02)

MEMBERS PRESENT:

CITY UTILITIES COMMITTEE CLAIR MULLER, CHAIR

ORDINANCES FOR SECOND READING

[02O0602 \(1\)](#) A Substitute Ordinance by City Utilities Committee enacting street and sidewalk design standards for Traditional Neighborhood Developments; and for other purposes.

FAVORABLE ON SUBSTITUTE ON CONDITION

(1 ABSTENTION)

[02O0868 \(2\)](#) An Ordinance by City Utilities Committee authorizing the Mayor to execute a Franchise Agreement with Cogent Fiber Services, Inc. of Georgia, a Georgia Corporation, providing telecommunications services using public right-of-way; and for other purposes.

FAVORABLE ON 2ND READING, 1ST ADOPTION

[02O0964 \(3\)](#) An Ordinance by Councilmember Clair Muller as substituted by City Utilities Committee to codify the requirements for Storm Water Management and Hydrological Analysis for developments permitted in the City of Atlanta; and for other purposes.

FORWARDED ON SUBSTITUTE WITHOUT RECOMMENDATION

RESOLUTION

[02R0899 \(1\)](#) A Resolution by City Utilities Committee authorizing the Mayor or designee to issue a Notice to Proceed with Mayes, Sudderth & Etheredge, Inc./Harrington, George & Dunn, PC - JV for FC-6710-96B, Annual Contract for Architectural and Engineering Services to provide Combined Sewer Evaluation and Conceptual Design of Sewer Separations on behalf of the Department of Public Works in an amount not to exceed \$6,777,500.00; all contracted work shall be charged to and paid from Fund, Account and Center Numbers: 2J26 524001 M56I21049999, 2J26 524001 M56I21019999, 2J27 574001 M24I02679999 and 2J27 574001 M24I02689999.

FILE

CITY UTILITIES COMMITTEE (2) CLAIR MULLER, CHAIR

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) (Advertised for a Public Hearing 6/11/02)

[02O0262 \(3\)](#) 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 14th District of Fulton County, Georgia; and for other purposes. (Held 2/12/02)

[02O0268 \(4\)](#) An Ordinance by Councilmember Debi Starnes as substituted by City Utilities Committee to change the name of Linden Avenue, between Piedmont Avenue and the I-75/85 Connector, to James A. Kaufmann Avenue; and for other purposes. (Public Hearing held 3/26/02) (Substituted and held 3/26/02)

[02O0664 \(5\)](#) An Ordinance by Councilmembers Debi Starnes and Anne Fauver to amend the City of Atlanta Code of Ordinances by establishing and adopting a new Article VIII of Chapter 138 entitled "On-Street Bicycle Racks"; and for other purposes. (Held 4/9/02)

[02O0685 \(6\)](#) An Ordinance by Councilmember Derrick Boazman to abandon Adams Street from St. Johns Avenue to Climax Place lying and being in Land Lot 90 of District 14, Fulton County, Georgia; to abandon Climax Place from Metropolitan Parkway to Interstate 75/85 (Lakewood Freeway) lying and being in the Land Lot 90 of District 14, Fulton County, Georgia; to abandon Spring Place and Leola Street from Metropolitan Parkway toward Scott Street lying and being in Land Lot 90 of District 14, Fulton County Georgia; and for other purposes. (Held 4/9/02) (To be advertised for a Public Hearing 00/00/02)

CITY UTILITIES COMMITTEE (3) CLAIR MULLER, CHAIR

PAPERS HELD IN COMMITTEE (CONT'D)

[02O0867 \(7\)](#) An Ordinance by Councilmember Debi Starnes to grant an encroachment easement to BellSouth Telecommunications, Inc. for encroachments into the right-of-way of Third Street; and for other purposes. (Held 5/14/02)

[02O0900 \(8\)](#) An Ordinance by Councilmember Clair Muller authorizing the Mayor to execute a Change of Control Agreement between the City of Atlanta, MediaOne of Colorado, Inc., an indirect subsidiary of AT&T Corp. and AT&T Comcast Corporation, whereby the City will consent to the change of control of the cable franchise from AT&T Corp. to AT&T Comcast Corporation. (2nd Reading, 1st Adoption) (Public Hearing held 05/28/02) (Held 5/28/02)

[02O0969 \(9\)](#) An Ordinance by Councilmember Carla Smith authorizing the Mayor or her designee to amend the Code of Ordinances of the City of Atlanta to require concrete trucks operating in the City of Atlanta to use a form of diaper to prohibit concrete from being permanently deposited on the City's right-of-way; and for other purposes. (Held 5/28/02)

MEMBER PRESENT: MULLER, SMITH, WILLIS, MITCHELL, MADDOX & WINSLOW

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

[Webmaster](#)

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