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ATLANTA CITY COUNCIL

AGENDA

October 7, 2002

Order of Business for the Atlanta City Council

Monday, October 7, 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 Clela Winslow 21

Public Safety and Legal

Administration Committee Ceasar C. Mitchell 27

Transportation Committee H. Lamar Willis 28

Zoning Committee Debi Starnes 31

Finance/Executive Committee Felicia A. Moore 37

Committee on Council** Anne Fauver 44

City Utilities Committee Clair Muller 47

14. Personal Papers and General Remarks

15. Announcements

16. Adjournment: Roll Call

* **No Report**

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

CONSENT AGENDA

There will be no separate discussion of these items. If discussion on any item is desired, the item will be removed from the Consent Agenda and will be considered separately - excerpt from 11.3, 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

02O1544(1) An Ordinance by Community Development/Human Resources Committee amending the 2002 (Trust Fund) Budget by anticipating and appropriating \$446,097.00 in the Workforce Investment Act (WIA) Adult Funds; anticipating and appropriating \$219,950.00 in Workforce Investment Act (WIA) Dislocated Workers Funds; and for

other purposes.

02O1538(2) **UEZ-020** An Ordinance by Community Development/Human Resources Committee to create the **“Carlyle Park Housing Enterprise Zone”**; to be located at 225 Wesley Avenue, NE (a.k.a. 1565 LaFrance Street, NE); and for other purposes. **(Public Hearing held 9/23/02) NPU-O Council District 5**

02O1549(3) **UEZ-021** An Amended Ordinance by Community Development/ Human Resources Committee to create the **“Etheridge Courts Apartments Housing Enterprise Zone”**; to be located at 2500 Center Street, NW; and 2591 Etheridge Dr., NW; and for other purposes. **(Public Hearing held on 9/23/02) NPU-G Council District 9**

02O1551(4) **UEZ-020** An Ordinance by Community Development/Human Resources Committee to create the **“Hill Street Lofts Housing Enterprise Zone”**; to be located at 222 Englewood Avenue, SE (f.k.a. 119 Milton Terrace, SE) & 1200 Milton Terrace, SE.; and for other purposes. **(Public Hearing held on 9/23/02) NPU-Y Council District 1**

02O1554(5) **UEZ-020** An Ordinance by Community Development/Human Resources Committee to create the **“Peaks at Martin Luther King Housing Enterprise Zone”**; to be located at 2429 (a.k.a. 2424) Martin Luther King, Jr. Drive (at Hamilton E. Holmes Drive); and for other purposes. **(Public Hearing held 9/23/02) NPU-I Council District 10**

02O1598(6) **CDP-022** An Amended Ordinance by Community Development/ Human Resources Committee to amend the Land Use Element of the City of Atlanta 2003 Comprehensive Development Plan (CDP) so as amended by modifying the Land Use Policy Statements for the following **NPU(s) B, D, F, G, K, N & X** and replacing the 2002 CDP Land Use Policy Statements for the aforementioned NPU(s) with said Statements; and for other purposes. **(Public Hearing held 9/23/02) NPU’s: B, D, F, G, K, N & X - Council Districts: 2, 3, 6, 7, 9 & 12**

02O1599(7) **CDP-022** An Amended Ordinance by Community Development/ Human Resources Committee to amend the Land Use Element of the City of Atlanta 2003 Comprehensive Development Plan (CDP) so as to re-designate property within **NPU-N** from the “Low Density Commercial” Land Use Designation to the “Low-Density Residential” Land Use Designation; and for other purposes. **(Public Hearing held 9/23/02) NPU-N Council District 2**

02O1600(8) **CDP-022** An Amended Ordinance by Community Development/ Human Resources Committee to amend the Land Use Element of the City of Atlanta 2003 Comprehensive Development Plan (CDP) so as to re-designate property within **NPU-N** from the “Low Density Residential” and “Low-Density Commercial” Land Use Designations to the “Open Space” Land Use Designation; and for other purposes. **(Public Hearing held 9/23/02) NPU-N Council District 2**

02O1601(9) **CDP-022** An Amended Ordinance by Community Development/ Human Resources Committee to amend the Land Use Element of the City of Atlanta 2003 Comprehensive Development Plan (CDP) so as to re-designate property within **NPU-N** from the “Industrial” Land Use Designation to the “Mixed-Use” Land Use Designation; and for other purposes. **(Public Hearing held 9/23/02) NPU-N Council District 2**

02O1602(10) **CDP-022** An Amended Ordinance by Community Development/ Human Resources Committee to amend the Land Use Element of the City of Atlanta 2003 Comprehensive Development Plan (CDP) so as to re-designate property within **NPU-N** from the “Low Density Commercial” Land Use Designation to the “Mixed-Use” Land Use Designation; and for other purposes. **(Public Hearing held 9/23/02) NPU-N Council District 2**

02O1581(11) An Ordinance by Councilmembers Derrick Boazman and Clela Winslow to amend the Land Use Element of the 2002 Comprehensive Development Plan, as amended, so as to re-designate various properties in Council Districts 4 and 12 to and from various designations to reflect the Land Use recommendation in the Pittsburgh Community Redevelopment Plan; and for other purposes. **(Public Hearing held 9/23/02)**

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

02O1466(12) An Ordinance by Councilmember Anne Fauver to amend Chapter 150, Article IV, Division 1, Section 150-99 of the Code of Ordinances of the City of Atlanta, Georgia so as to prohibit a vehicle operator from stopping,

standing or parking a motor vehicle on any sidewalk or other pedestrian access route adjacent to the public right of way; to repeal 02O0853 and for other purposes.

TRANSPORTATION COMMITTEE - H. LAMAR WILLIS, CHAIR

02O1253(13) A **Substitute** Ordinance by Transportation Committee granting to Atlanta Gas Light Services Company an easement across real property owned by the City of Atlanta in Clayton County, to provide for relocation of a Natural Gas Main in the area of the Fifth Runway Project at Hartsfield Atlanta International Airport; authorizing the Mayor or her designee to execute appropriate instruments to evidence the granting of such easement; and for other purposes.

02O1562(14) A **Substitute** Ordinance by Transportation Committee to amend the 2002 (2000 Airport Revenue Bond Fund) Budget by transferring to and from appropriations the amount of \$4,064,997.00 for the purposes of funding contractual agreement with the Atlanta Gas Light Resources, College Park Power and Clayton County Georgia Water Authority for the relocation of a natural gas high pressure transmission main, removal relocation of three distribution power lines, poles and special equipment and relocation of the existing water main and water meter due to the required demolition of the Sullivan Road Bridge; and for other purposes.

02O1575(15) An Ordinance by Transportation Committee authorizing the Mayor or her designee to install a Stop Sign at the following intersection: Rockport Place, SW at Oakside Drive.

02O1576(16) An Ordinance by Transportation Committee authorizing the Mayor or her designee to install No Right Turn on Red Signs on Northside Drive, NW at Moores Mill Road.

02O1582(17) An Ordinance by Councilmember Cleta Winslow authorizing the Mayor or her designee to make the intersection of Eastridge Road and Avon Avenue, SW an All-Way Stop; and for other purposes.

FINANCE/EXECUTIVE COMMITTEE - FELICIA A. MOORE, CHAIR

02O1447(18) An Ordinance by Councilmember Jim Maddox **as substituted by Finance/Executive Committee** to provide for the annexation of land to the Corporate Limits of the City of Atlanta, Georgia to provide for the notification of the Department of Community Affairs of the State of Georgia of such annexation; and for other purposes.

02O1545(19) A **Substitute** Ordinance **as amended** by Finance/Executive Committee amending the 2002 (1994 G. O. Referendum Bond Fund and 1996 and 1997 G. O. Public Improvement Bond Fund) Budgets in the amount of \$1,044,676.11 for the purpose of funding the Grant Park Erosion and Flood Control Phase II Improvements Projects 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.)

CITY UTILITIES COMMITTEE - CLAIR MULLER, CHAIR

02O1261(20) An Ordinance by Councilmembers Debi Starnes, Felicia A. Moore, Ivory Lee Young, Jr., Mary Norwood, Carla Smith, Ceasar C. Mitchell and Clair Muller **as substituted by City Utilities Committee** to [i] amend and clarify City of Atlanta Code of Ordinances § 138-46, "Permit", concerning the owner or lessee of property abutting a City sidewalk to, at its own risk, remove from the sidewalk any publication vending device that is not permitted pursuant to Division 5. "Vending devices and telephones of the City's Code of Ordinances; [ii] impose a moratorium on the permitting or installation of any new publication vending devices on any part of a City sidewalk; [iii] and for other purposes.

02O1534(21) An Ordinance by City Utilities Committee authorizing the negotiations and acquisition of property and the use of condemnation proceeding if necessary to acquire property located at 2631 Cascade Road, in Land Lot 201 of 14th District, Fulton County, Georgia, Subdivision Lot 43 Block "A" Spring Park Phase II in connection with the new Cascade Road Sewage Pumping Station required by the EPA/EPD SSO

RESOLUTIONS

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE - CLETA WINSLOW, CHAIR

02R1662(1) An **Amended** Resolution by Community Development/Human Resources Committee authorizing the Mayor or designee to approve 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 Architectural, Design, Civil, Structural, Mechanical and Electrical Engineering Services for the renovation of the Arthur Langford Park Community Building on behalf of the Department of Parks, Recreation and Cultural Affairs in an amount not to exceed \$250,000.00; all contracted work shall be charged to and paid from Fund, Account and Center Number: 1B01 529002 N12D1653A20A; and for other purposes.

02R1669(2) A Resolution by Community Development/Human Resources Committee authorizing the Mayor to amend an existing \$686,000.00 Loan Agreement with Intergenerational Resource Center, Inc. (IRC), to change the repayment terms for the Valena Henderson Senior Residences, a development of 34 units of Affordable Senior Rental Housing located at 431 Edgewood Avenue, NE; and further, the Commissioner of the Department of Planning, Development and Neighborhood Conservation is authorized to sign the necessary documents to amend the Loan Agreement with IRC; and for other purposes.

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

02R1613(3) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to execute a Settlement Agreement with Archer-Western Contractors Ltd./Capital City Contracting Co., Inc., a Joint Venture for Contract No. FC-5264-92; Hemphill Pump Station and Clearwell Improvements, and/or a settlement agreement with Factory Mutual Insurance Company in settlement of various claims existing concerning the contract, the design and construction of the project and insurance matters relating to the contract and project; and for other purposes.

02R1668(4) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to enter into Renewal Agreement No. 4 with ATOB, LP, d/b/a/ BG Real Estate Services, Inc., for the lease of 8,500 feet of office space at 41 Marietta Street beginning January 1, 2003 through December 31, 2003 in an amount not to exceed \$113,305.00 base rent and certain operating expenses and to accept the transfer of ownership by Baha Towers II to ATOB, LP d/b/a/ BG Real Estate Services, Inc.; rental payments shall be charged to and paid from Fund, Account and Center Number: 1A01 725001 S23001.

02R1709(5) A Resolution by Public Safety and Legal Administration Committee authorizing payment in the amount of \$7,504.99 in settlement of the claim of Adrian V. Popescu against the City of Atlanta.

02R1711(6) A Resolution by Public Safety and Legal Administration Committee authorizing the City Attorney to settle all claims of Arthur and Mary Lee Fulmer, in the case of Arthur and Mary Lee Fulmer v. City of Atlanta, Civil Action Number 00V-01335-G, in the State Court of Fulton County, Georgia, in the amount of \$70,000.00

02R1712(7) A Resolution by Public Safety and Legal Administration Committee authorizing the settlement of the claim of William Shelnut in the amount of \$98,000.00 against the City of Atlanta.

02R1713(8) A Resolution by Public Safety and Legal Administration Committee authorizing the settlement of the claim of Progressive Insurance Company as subrogee of William Shelnut in the amount of \$19,250.00.

TRANSPORTATION COMMITTEE - H. LAMAR WILLIS, CHAIR

02R1633(9) A Resolution by Councilmembers H. Lamar Willis and Derrick Boazman granting approval to the Metropolitan Atlanta Rapid Transit Authority to enter into a Lease Financing for the "South Line" from the Airport to Five Points Station, including track leading to the South Yard; and for other purposes.

02R1664(10) A Resolution by Transportation Committee authorizing the Mayor or her designee to execute Reimbursement Agreement No. SO-0513-07X with the Federal Aviation Administration (FAA) for reimbursement by

the City to the FAA of the cost incurred by the FAA for Resident Engineer Services for the relocation of the Airport Traffic Control Tower at Hartsfield Atlanta International Airport for a cost not to exceed \$2,188,940.00, to be paid from Fund, Account and Center No.: 2H21 529010 R21E05069999; and for other purposes.

[02R1666\(11\)](#) A **Substitute** Resolution by Transportation Committee authorizing the Mayor to execute an appropriate contractual agreement with Aviation Constructors, Inc. (ACI) for FC-7495-02, CPTC Restroom Upgrades Prototypes to provide upgrades to the interior finishes and aesthetic enhancement to the existing public restrooms at HAIA in an amount not exceed \$1,740,000.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2H27 574001 R21E010693CG.

[02R1667\(12\)](#) An **Amended** Resolution by Transportation Committee authorizing the Mayor to execute an appropriate contractual agreement with Leigh-Fisher Associates for FC-7470-02, Financial Feasibility Consultant to assist the Department of Aviation to prepare Feasibility Reports in connection with the sale, underwriting and placement of obligations for the Hartsfield Development Program in a contract amount not to exceed \$350,000.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2H21 524001 R21001

[02R1673\(13\)](#) An **Amended** Resolution by Transportation Committee authorizing the Mayor to execute an appropriate contractual agreement with New South Construction, Inc. for FC-7437-02 construction of Fiber Optics Equipment Rooms and Raceway to construct equipment rooms on each concourse and construction of telecom outside plant infrastructure for the fiber optics cable in an amount not to exceed \$2,285,000.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2H21 574001 R21E01219999.

FINANCE/EXECUTIVE COMMITTEE - FELICIA A. MOORE, CHAIR

[02R1469\(14\)](#) A Resolution by Councilmember Derrick Boazman **as substituted by Finance/Executive Committee** authorizing the Mayor to purchase land from the Trust for Public Land adjacent to existing Southside Park for no more than \$400,000.00 and to dedicate said land as an open green space in perpetuity for the residents of the City of Atlanta; and for other purposes.

[02R1642\(15\)](#) An **Amended** Resolution by Finance/Executive Committee authorizing the Mayor to enter into an agreement to extend the Health and Dental Insurance for Plan Year 2003 with Blue Cross Blue Shield of Georgia, Inc., (FC-7135-99D); Kaiser Foundation Health Plan of Georgia, Inc-Kaiser Permanente (FC-7135-99B); Blue Cross Blue Shield of Georgia, Inc./Group Insurance Administration, Inc., A Joint Venture (FC-7135-99E); OHS a CompBenefits Company (FC-7135-99F) for FC-7135-99, Health and Dental Benefits; establishing Premium Rates for Health And Dental Insurance for 2003; and for other purposes.

[02R1644\(16\)](#) A Resolution by Finance/Executive Committee authorizing refunds for the overpayment of Business License Fees to Wyndham Midtown Atlanta Hotel, #086602LGB, in the amount of \$11,429.01; and for other purposes.

[02R1649\(17\)](#) A Resolution by Finance/Executive Committee authorizing the Purchasing Agent to utilize the State of Georgia Contract 90-00151 with Compaq for the purchase of computer equipment on behalf of the Department of Aviation in an amount not to exceed \$129,282.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2H21 575001 R12006.

[02R1714\(18\)](#) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into a contractual agreement with the Urban Design Commission in the amount of \$46,548.00 for the purpose of funding Basic Operating Costs in accordance with the 2002 Budget.

[02R1727\(19\)](#) A Resolution by Finance/Executive Committee authorizing the Mayor to accept the use of a 2003 Dodge Ram 1500 SLT Truck from the United States Conference of Mayors (USMC) for the exclusive use by the City for a two (2) year lease period; to provide for the terms of that acceptance; and for other purposes.

CITY UTILITIES COMMITTEE - CLAIR MULLER, CHAIR

[02R1650\(20\)](#) A Resolution by City Utilities Committee approving adjustments on Water-Sewer Accounts.

Underground Leaks: Willie F. Smith, 964 Hill Street, SE; Summertree Cond, 2701 Bethsaida Rd., SW; Pavilion Partners, 1100 Lake Hearn Rd., NE; Peachtree Road Methodist Church, 3180 Peachtree Rd., NE

[02R1651\(21\)](#) A Resolution by City Utilities Committee approving adjustments on Water-Sewer Accounts.

Meter Malfunction: E. B. Ent. Limited Inc., 6350 Powers Ferry Rd., NW; Frank Morrow, 598 Pelham Road, NE

[02R1652\(22\)](#) A Resolution by City Utilities Committee approving adjustments on Water-Sewer Accounts.

Underground Leaks: Shuang Y. Chou, 3811 N. Stratford Rd., NE, Carl Watkins, 217 Wynnwood Dr., SW; Jason Hadley, 1861 McClendon Ave., NE; America Mgmt. Svc., 419 Armour Dr., NE

[02R1653\(23\)](#) A Resolution by City Utilities Committee approving adjustments on Water-Sewer Accounts.

Underground Leaks: East Atlanta Village, 384 Stovall St., SE; Salma Qureshi, 439 Ethel Street, NW; Hidden Woods, Apts., 3100 Godby Road, SW

[02R1654\(24\)](#) A Resolution by City Utilities Committee approving adjustments on Water-Sewer Accounts.

Underground Leaks: Kenneth E. Jones, 112 Atlanta Ave., SW; Amos Payne, Jr., 633 Cedar Ave., NW; Lalage M. Pollard, 500 Springside Dr., SE

[02R1655\(25\)](#) A Resolution by City Utilities Committee approving adjustments on Water-Sewer Accounts.

Other Identified Leaks: Barclay Hotel, 87 Luckie St., NW

[02R1656\(26\)](#) A Resolution by City Utilities Committee approving adjustments on Water-Sewer Accounts.

Underground Leaks: Buckhead Beef, Co., 2184 Marietta Blvd.; Kenneth Peacock, 950 Gilbert St., SE; Stratford Apts., 5479 Glenridge Dr., NE; Sylvan Circle Apt., 1940 Sylvan Rd., SW

[02R1657\(27\)](#) A Resolution by City Utilities Committee authorizing the Mayor to accept an Energy Star and Conservation Grant in the amount of \$13,000.00 from the United States Department of Energy and the Georgia Environmental Facilities Authority (GEFA) intended for the Development of a Public Education Campaign for Energy Conservation.

[02R1658\(28\)](#) A Resolution by City Utilities Committee authorizing the Mayor or designee to issue a **Notice to Proceed** with Washington Infrastructure Services, Inc. for FC-5297-92A, Annual Citywide Architectural and Engineering Services on behalf of the Department of Public Works in an amount not to exceed \$85,361.99 for additional design changes to the Roxboro Road Project as requested by GDOT; all contracted work shall be charged to and paid from Fund, Account and Center Number: 1C28 524001 M22F012992BA.

[02R1659\(29\)](#) A Resolution by City Utilities Committee authorizing the Mayor to execute a Local Assistance Road Program Agreement for Project No. PR 8532-80 (121), for the purpose of resurfacing city streets; and for other purposes.

[02R1660\(30\)](#) A Resolution by City Utilities Committee authorizing the Mayor to execute a Local Assistance Road Program Agreement for Project No. PR 8531-90 (089), for the purpose of resurfacing city streets; and for other purposes.

[02R1718\(31\)](#) 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 \$8,500.00 as stipulated penalties for the violation of CSO Fecal Coliform Operational Standards at the McDaniel CSO Facility on August 19, 2002 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.

[02R1719\(32\)](#) A Resolution by City Utilities Committee to authorize payment of penalties imposed by the Environmental Protection Division of the Department of Natural Resources of the State of Georgia (EPD) in the amount of \$8,000.00 as a penalty for an alleged violation of the Georgia Water Quality Control Act resulting from a discharge of non-disinfected effluent on January 3, 2002; and an unpermitted discharge of dewatered sludge on January 24, 2002 both occurring at the R. M. Clayton Water Reclamation Center; to identify the source of funding; and for other purposes.

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

Claims with Favorable Recommendations:

[02R1698\(1\)](#) Claim of **Lisa A. Chitenden and Jack Curry English, Jr.**, for damages alleged to have been sustained as a result of driving over a defect in the roadway on January 11, 2002 at Decatur Street and Piedmont Road. **\$1,631.00**

[02R1699\(2\)](#) Claim of **Progressive Insurance Company as subrogee of Suzanne Rogers**, for damages alleged to have been sustained as a result of an automobile accident on May 17, 2002 at Lenox Road, NE & Northeast Expressway. **\$1,799.00**

[02R1700\(3\)](#) Claim of **Mary Dawson**, for damages alleged to have been sustained when a vehicle drove over a metal plate that was improperly covering a sanitary sewer site in the roadway on July 31, 2002 at 891 Neal Street. **\$824.80**

[02R1701\(4\)](#) Claim of **Fred C. Huffman**, for damages alleged to have been sustained as a result of a vehicular accident on February 6, 2002 at Williams and Alexander Streets, NW. **\$775.36**

[02R1702\(5\)](#) Claim of **Allstate Insurance Company as subrogee of Paula Lee**, for damages alleged to have been sustained as a result of a vehicular accident on April 29, 2002 at Moreland Avenue, NE. **\$2,000.00**

[02R1703\(6\)](#) Claim of **Denise R. Matthews**, for damages alleged to have been sustained as a result of a vehicular accident on February 5, 2002 at 1325 White Street, SW. **\$2,000.00**

[02R1704\(7\)](#) Claim of **Dianne Houston**, through her attorney, Richard E. Stark, for injuries alleged to have been sustained from an automobile accident on September 6, 2002 at Crew Street, SE. **\$2,000.00**

[02R1705\(8\)](#) Claim of **Marty Stroud and Edith Banks**, for damages alleged to have been sustained as a result of a vehicular accident on September 9, 2002 at 230 Forsyth Street. **\$1,223.85**

[02R1706\(9\)](#) Claim of **Peter Huebner and Charlotte Gelfand**, for damages alleged to have been sustained as a result of a vehicular accident on March 22, 2002 at Interstate 75 and Highway 155. **\$795.00**

[02R1707\(10\)](#) Claim of **Safeco Insurance Company as subrogee for Beverly Pitts Bonner and Willie Pitts**, for damages alleged to have been sustained as a result of vehicular damage sustained as a result of a vehicle accident on April 20, 2002 at 2237 Cascade Road. **\$2,000.00**

[02R1708\(11\)](#) Claim of **Martin A. Mitchell**, for damages alleged to have been sustained as a result of a vehicle accident on July 21, 2002 at Boulevard Drive near Confederate Avenue, SE. **\$574.93**

Claims with Unfavorable Recommendations:

[02R1675\(12\)](#) Claim of **Kenneth Brown**, for damages alleged to have been sustained as a result of driving over a metal plate that was improperly covering a construction site in the roadway in November 2001 at Peachtree Road, NE & Buckhead Avenue, NE.

[02R1676\(13\)](#) Claim of **Steven E. Fox**, for damages alleged to have been sustained from a trip and fall incident that was caused by the remains of a street sign post that was left in the sidewalk on November 28, 2001 at 1545 Peachtree

Street, NE.

[02R1677\(14\)](#) Claim of **Jennifer Alix Lacey Brower**, for damages alleged to have been sustained as a result of driving over a newly installed curb on July 19, 2002 at the corner of Oak Valley and East Paces Ferry Roads

[02R1678\(15\)](#) Claim of **James H. Mobley, Jr.**, for damages alleged to have been sustained from a sewer backup on March 20, 2002 at 782 Kings Way.

[02R1679\(16\)](#) Claim of **Randall C. Farmer**, for damages alleged to have been sustained as a result of property damage due to a sewer leak in January, 2002 at 321 Clifton Road, NE.

[02R1680\(17\)](#) Claim of **Georgia Power Company**, for damages alleged to have been sustained as a result of property damage due to an undisclosed event on an undisclosed date at 1374 Miller Avenue, NE.

[02R1681\(18\)](#) Claim of **Wilbert Ogletree**, for damages alleged to have been sustained as a result of money that was turned into police Property Management on May 1, 1992 at 75 Decatur Street.

[02R1682\(19\)](#) Claim of **Ken Walters through his attorney, C. Michael Bozeman**, for damages alleged to have been sustained as a result of a fall on July 20, 2001 at Piedmont Park.

[02R1683\(20\)](#) Claim of **Christopher C. Gillette**, for damages alleged to have been sustained from striking an improperly placed metal post on December 26, 2001 at the 2400 block of Piedmont Road near Morosgo Drive.

[02R1684\(21\)](#) Claim of **Mark A. Sommerville, Sr.**, for damages alleged to have been sustained as a result of driving his vehicle over a pothole in the road on April 29, 2002 at Interstate 285 West at Exit 9 Martin Luther King, Jr. Drive and Adamsville.

[02R1685\(22\)](#) Claim of **State Farm Insurance Companies as subrogee of Frank Smith**, for damages alleged to have been sustained from an automobile accident on June 29, 2001 at Edgewood Avenue, SE and Bell Street, SE.

[02R1686\(23\)](#) Claim of **Alton P. Lee**, for damages alleged to have been sustained as a result of his vehicle having been stolen from Robinson and Stevens Impound Lot on March 29, 2002.

[02R1687\(24\)](#) Claim of **State Farm Fire and Casualty Company as subrogee of Colony Park Condominium Association and Renee Daniel**, for damages alleged to have been sustained as a result of a sewer back up on January 27, 2002 at 10904 Crabapple Road, Roswell, Georgia.

[02R1688\(25\)](#) Claim of **Suzette Young, through her attorney, W. Calvin Smith, II**, for damages alleged to have been sustained as a result of an undisclosed event at an undisclosed location on June 21, 2002.

[02R1689\(26\)](#) Claim of **Tyriq Young, through her attorney, W. Calvin Smith, II**, for damages alleged to have been sustained as a result of an undisclosed event at an undisclosed location on June 21, 2002.

[02R1690\(27\)](#) Claim of **Andriana Andrews, through her attorney, W. Calvin Smith, II**, for damages alleged to have been sustained as a result of an undisclosed event at an undisclosed location on June 21, 2002.

[02R1691\(28\)](#) Claim of **Lisa M. Hink**, for damages alleged to have been sustained as a result of vehicular damage due to driving over a pothole on February 12, 2002 between [60070 blk of North Highland Avenue, NE.](#)

[02-R-1692 \(29\)](#) Claim of **Busya Oks, through her attorney, Melvin L. Hewitt, Jr.**, for damages alleged to have been sustained as a result of a slip and fall on May 7, 2002 at the Marian Road Apartments at 760 Sydney Marcus Boulevard.

[02R1693\(30\)](#) Claim of **Bonnie Leadbetter**, through her attorney, Bryan Hill, for damages alleged to have been sustained as a result of a fall on April 25, 2002 at 5770 Long Grove Drive.

02R1694(31) Claim of **MARTA**, for damages alleged to have been sustained as a result of a vehicular accident on August 22, 2001 at North Avenue and Spring Street.

02R1695(32) Claim of **Sally Gantt Finch**, for damages alleged to have been sustained as a result of a sewer backup on June 4, 2001 at 2903 North Hills Drive, NE.

02R1696(33) Claim of **Arlethia Baugh, through her attorney, Neil J. Kopitsky**, for damages alleged to have been sustained as a result of a vehicular accident on April 17, 2002 at Clair Drive and Lakewood Avenue.

02R1697(34) Claim of **HERTZ**, for damages alleged to have been sustained as a result of a vehicular accident on March 18, 2002 at Northside Drive and Fair Street.

CONSENT AGENDA SECTION II

ORDINANCES FOR FIRST READING

COMMUNITY DEVELOPMENT/HUMAN

RESOURCES COMMITTEE - CLETA WINSLOW, CHAIR

02O1661(1) An Ordinance by Community Development/Human Resources Committee amending the 2002 (Community Development Fund) Budget by transferring appropriations in the amount of \$23,000.00 from various project closeouts to cover the Low Bid for CD-708, Gilbert House Improvements; and for other purposes.

TO BE REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

02O1670(2) An Ordinance by Community Development/Human Resources Committee amending the 2002 (Community Development Fund) Budget by transferring appropriations in the amount of \$2,483,285.00, amending the 2002 (Home Investment Trust Fund) Budget by transferring \$447,000.00 and amending the 2002 (Intergovernmental Grant Fund) Budget by transferring appropriations in the amount of \$520,478.00 for the purpose of reprogramming various CDBG, HOME and HOPWA Projects for inclusion in the Year 2003 Annual Action Plan for the 2000204 Cnsolidated Plan; and for other purposes.

TO BE REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

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

02O1710(3) An Ordinance by Public Safety and Legal Administration Committee authorizing the settlement of the claims of Gustaf Linstrom Welch, in the case of Welch V. Crawford, Civil Action File No. 2000CV03686D, in the State Court of Clayton County, State of Georgia, to cause payment to be made in the amount of \$57,500.00; 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)

TRANSPORTATION COMMITTEE - H. LAMAR WILLIS, CHAIR

02O1674(4) A Ordinance by Transportation Committee amending the 2002 (Airport Passenger Facility Charge Fund) Budget by transferring to and from appropriations the amount of \$38,315,118.00 to provide adequate funding for the Architectural and Engineering (A&E) Design Services for Concourse "E" Expansion and Landside Access (CEELA) for the Hartsfield Atlanta International Airport; and for other purposes.

TO BE REFERRED TO TRANSPORTATION COMMITTEE

FINANCE/EXECUTIVE COMMITTEE - FELICIA A. MOORE, CHAIR

02O1643(5) A Ordinance by Finance/Executive Committee to authorize the Director of the Bureau of Purchasing to purchase approximately 100 acres in the City of Atlanta known as the Lionel Hampton Tract, whereas the total cost of acquisition is \$1,650,000.00 for the purposes set forth in the City of Atlanta Community Greenspace Program Application and the Supplemental Environmental Project (SEP) pursuant to the Consent Decree; and for other purposes.

TO BE REFERRED TO FINANCE/EXECUTIVE COMMITTEE

02O1645(6) An Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer, to refund \$13,354.91 to Ansley Monroe Corporation, for overpayment of year 2000 Sanitary Service Charges for 269 Parcels located at 1616 Piedmont Avenue.

TO BE REFERRED TO FINANCE/EXECUTIVE COMMITTEE

02O1646(7) An Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer, to refund \$6,808.18 to John S. Gumperts, for overpayment of 2001 Sanitary Service Charges located at 3924 Paces Ferry Road.

TO BE REFERRED TO FINANCE/EXECUTIVE COMMITTEE

CONSENT AGENDA SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

FINANCE/EXECUTIVE COMMITTEE - FELICIA A. MOORE, CHAIR

02O1647(8) An Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer, to refund \$22,267.12 to Countrywide Tax Service, for overpayment of 2001 Sanitary Service Charges for parcels located at 323 8th Street, #7, 890 Glendale Terrace-Units 1 and 3 and 668 Park Village Drive.

TO BE REFERRED TO FINANCE/EXECUTIVE COMMITTEE

02O1648(9) An Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer, to refund \$76,860.61 to H. J. Russell, owners of Central Methodist Two, Inc., for overpayment of the years 2000 and prior Sanitary Service Charges.

TO BE REFERRED TO FINANCE/EXECUTIVE COMMITTEE

02O1672(10) An Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer, to refund \$101,970.08 to H, J. Russell, for overpayment of years 2000 and 1999 Sanitary Service Charges for 160 parcels located at 2591 Etheridge Drive.

TO BE REFERRED TO FINANCE/EXECUTIVE COMMITTEE

02O1726(11) An Ordinance by Finance/Executive Committee to amend Ordinance No. 02O0791 which made certain clarifications to Ordinance No. 01-O-0064 establishing the City of Atlanta's Defined Contribution Retirement Plan, the purpose of this amendment being to make a further clarification to said plan with respect to officers' or employees' eligibility to continue their participation in the City's previously Approved Defined Benefit Plan (i.e. The General Employees Pension Fund); to repeal conflicting ordinances; and for other purposes.

TO BE REFERRED TO FINANCE/EXECUTIVE COMMITTEE

CONSENT AGENDA SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

FINANCE/EXECUTIVE COMMITTEE - FELICIA A. MOORE, CHAIR

02O1728 (12) An Ordinance by Finance/Executive Committee to amend Subsection (a) of Section 114-363 of the Code of Ordinances of the City of Atlanta, Georgia, so as to add "separation" from city employment under certain conditions as an additional factor which would cause the three year reemployment rights period to apply to any employee so separated; to repeal conflicting ordinances; and for other purposes.

TO BE REFERRED TO FINANCE/EXECUTIVE COMMITTEE

COMMUNITY DEVELOPMENT/HUMAN

RESOURCES COMMITTEE CLETA WINSLOW, CHAIR

ORDINANCES FOR SECOND READING

02O1552(1) UEZ-020 An Ordinance by Community Development/Human Resources Committee to create **the "Arizona Lofts Mixed-Use Residential/Commercial Enterprise Zone"**; to be located at 130, 195, & 215 Arizona Avenue, SE (a.k.a. 1721 Dekalb Avenue, NE); and for other purposes. **(Public Hearing held 9/23/02) NPU-O Council District 5 FILE**

02O1547(2) 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 July 25, 2002. 1019 Valley View Road, SE 12 **FAVORABLE**

02O1548(3) 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 July 25, 2002.

2025 Detroit Avenue, NW 03

3775 Forrest Park Road, SE 12

612 Jones Avenue, NW 03

558 Western Avenue, NW 03

562 Western Avenue, NW 03

FAVORABLE

COMMUNITY DEVELOPMENT/ (2) CLETA WINSLOW, CHAIR

HUMAN RESOURCES COMMITTEE

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)**

02O0599(2) 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(3) 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)**
(Work Session held 5/8/02)

02R0597(4) 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)**

02R0725(5) 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)**

COMMUNITY DEVELOPMENT/ (3) CLETA WINSLOW, CHAIR

HUMAN RESOURCES COMMITTEE

PAPERS HELD IN COMMITTEE (CONT'D)

02O1039(6) An Ordinance by Councilmember Carla Smith waiving the Financial Recompense requirements of the Tree Protection Ordinance in connection with the application of Early Learning Property Management, Inc., for permits to remove trees for construction; and for other purposes. **(Held 6/11/02)**

02O1147(7) An Ordinance by Councilmember Carla Smith waiving the Financial Recompense requirements of the Tree Protection Ordinance in connection with the application of Youth Incorporated, and Atlanta Youth Academies, Inc., for permits to remove trees for construction; and for other purposes. **(Held 6/25/02)**

02R1216(8) A Resolution by Community Development/Human Resources Committee authorizing the Mayor to enter into a Loan Funding Agreement with Columbia at Peoplestown, L.P. (Columbia) in an amount not to exceed \$575,000.00 for the construction of Columbia at Peoplestown, consisting of 99 units located at 222 Tuskegee Street, SE; and further, the Commissioner of the Department of Planning, Development and Neighborhood Conservation is authorized to sign the necessary documents to close the loan with Columbia at Peoplestown, L.P.; and for other purposes. **(Held 7/9/02)**

02R1217(9) A Resolution by Community Development/Human Resources Committee authorizing the Mayor to enter into a Loan Funding Agreement with VentureCap Development, Inc. (VentureCap) in an amount not to exceed \$200,000.00 for the redevelopment of property located at Bradford Chase Townhomes (Inman Station), 2000 Perry Boulevard, into 106 For-Sale Townhomes; correcting Account Numbers contained in Resolution 01R0868 which provided additional funding for this Project; and further, the Commissioner of the Department of Planning, Development and Neighborhood Conservation is authorized to sign the necessary documents to close the loan with VentureCap; and for other purposes. **(Held 7/9/02)**

COMMUNITY DEVELOPMENT/ (4) CLETA WINSLOW, CHAIR

HUMAN RESOURCES COMMITTEE

PAPERS HELD IN COMMITTEE (CONT'D)

02O1219(10) An Ordinance by Community Development/Human Resources Committee adopting the 2003 City of

Atlanta Capital Improvement Program; and for other purposes. (**Worksession held on 7/16/02**) (**Public Hearing held on 9/23/02**)

[02O1584\(11\)](#) An Ordinance by Councilmembers Debi Starnes, Howard Shook, Derrick Boazman, C. T. Martin, H. Lamar Willis, Mary Norwood, Carla Smith, Ceasar C. Mitchell and Jim Maddox to amend Section 8-2094(c) of the Code of Ordinances of the City of Atlanta, Georgia (The Atlanta Commercial, Institutional, and Industrial Building Maintenance Code, hereinafter, the "The Code") so as to impose minimum penalties for the violation thereof; to repeal conflicting ordinances; and for other purposes. (**Held 9/10/02**)

[02R1663\(12\)](#) A Resolution by Community Development/Human Resources Committee authorizing the Mayor to enter into Change Order #1 with Capricorn Construction Company, Inc., for FC-7154-99, Anderson Park Recreation Center Improvements, on behalf of the Department of Parks, Recreation and Cultural Affairs in an amount not to exceed \$318,937.50; all contracted work shall be charged to and paid from Fund, Account and Center Numbers: 1C22 573001 N12D09B69999; and 3P02 521105 N11S0609QNA0; and for other purposes. (**Held 10/01/02**)

[02O1636\(13\)](#) An Ordinance by Councilmembers Felicia A. Moore and H. Lamar Willis amending the 2002 (Community Development Fund) Budget by transferring \$200,000.00 from CD-645, Homeownership Assistance Program and \$63,000.00 from CD-07, Housing Rehabilitation Administration to Fund CD-610, Housing/Demolition/Reclamation; and for other purposes. (**Held 10/01/02**)

[02O1537\(14\)](#) **UEZ-020** An Ordinance by Community Development/Human Resources Committee to create the "**Misty Amber Senior Apartments Housing Enterprise Zone**"; to be located at 3704 (a.k.a. 3712) Martin Luther King, Jr. Drive; and for other purposes. (**Public Hearing held 9/23/02**) (**Held 10/01/02**)

NPU-H Council District 10

COMMUNITY DEVELOPMENT/ CLETA WINSLOW, CHAIR

HUMAN RESOURCES COMMITTEE (5)

PAPERS HELD IN COMMITTEE (CONT'D)

[02O1539\(15\)](#) **UEZ-020** An Ordinance by Community Development/Human Resources Committee to create the "**Holly Ridge Apartments Housing Enterprise Zone**"; to be located at 1620 Hollywood Road, NW; and for other purposes. (**Public Hearing held 9/23/02**) (**Held 10/01/02**) **NPU-G Council District 9**

[02O1550\(16\)](#) **UEZ-021** An Ordinance by Community Development/Human Resources Committee to create the "**Legacy Superblock at Castleberry Hill Mixed-Use Residential/Commercial Enterprise Zone**"; to be located at Castleberry Hill (property that is bounded generally by Northside Drive, Larkin Street, Walker Street and McDaniel Street); and for other purposes. (**Public Hearing held 9/23/02**) (**Held 10/01/02**) **NPU-M Council District 2, 3 and 4**

[02O1553\(17\)](#) **UEZ-020** An Ordinance by Community Development/Human Resources Committee to create the "**Anderson-McGriff Lofts Mixed-Use Residential/Commercial Enterprise Zone**"; to be located at 1335 Marietta Boulevard, NW and 1410 Ellsworth Industrial Drive, NW; and for other purposes. (**Public Hearing held 9/23/02**) (**Held 10/01/02**) **NPU-D Council District 9**

[02O1555\(18\)](#) **UEZ-020** An Ordinance by Community Development/Human Resources Committee to create the "**Midtown West Lofts Mixed-Used Residential/Commercial Enterprise Zone**"; to be located at 882-966 Marietta Street, NW (a.k.a. 950 Marietta Street, NW); and for other purposes. (**Public Hearing held 9/23/02**) (**Held 10/01/02**) **NPU-E Council District 3**

[02R1671\(19\)](#) A Resolution by Community Development/Human Resources Committee authorizing the Mayor to submit to the U.S. Department of Housing and Urban Development Atlanta's Year 2003 Annual Action Plan to the 2000204 Cnsolidated Plan to include application for the 2003 Community Development Block Grant (CDBG) Program, 2003 Emergency Shelter Grant (ESG) Program, 2003 Home Investment Partnership (HOME) Program, and

the 2003 Housing Opportunities for Persons with AIDS (HOPWA) Program; and for other purposes. **(Held 10/02/02)**
(Advertised for a Public Hearing 10/14/02)

COMMUNITY DEVELOPMENT/ (6) CLETA WINSLOW, CHAIR

HUMAN RESOURCES COMMITTEE

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

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)**

02O0957(2) 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)**

02O1139(3) An Ordinance by Councilmember Debi Starnes amending Section 10-88.1, Subsection 1, to add the Sweet Auburn Curb Market to the list of retail stores exempt from the 1,500 feet distance requirement between package stores. **(Held 6/25/02)**

02O1292(4) An Ordinance by Councilmember Debi Starnes to amend the Code of Ordinances, City of Atlanta, Georgia, Chapter 10, Article II, Division 5, Section 10-207, applicable to lessees of premises licensed for the sale of alcoholic beverages; and for other purchases. **(Held 7/30/02)**

02O1297(5) An Ordinance by Councilmember Carla Smith to amend Section 150-97 of the City of Atlanta Code of Ordinances so as to prohibit a truck or bus from idling for more than fifteen (15) minutes on any street or public place; and for other purposes. **(Held 7/30/03)**

02R1351(6) A Resolution by Public Safety and Legal Administration Committee authorizing settlement of all claims of Gloria Gonzalez, individually and as next friend and natural guardian of Erick Gonzalez, a minor, against the City of Atlanta and Lorenzo J. Lockett in the case of Gloria Gonzalez, Lorenzo J. Lockett and the City of Atlanta, Case Number 02VS032355H, in the State Court of Fulton County; to cause payment to be made in the amount of \$25,000.00; and for other purposes. **(Held 7/30/02)**

MEMBERS PRESENT: MITCHELL, YOUNG, SHOOK & ARCHIBONG

TRANSPORTATION COMMITTEE H. LAMAR WILLIS, CHAIR

ORDINANCES FOR SECOND READING

02O1106(1) An Ordinance by Transportation Committee amending the 2002 (Airport Renewal & Extension Fund) Budget by transferring to and from appropriations the amount of \$_to provide adequate funding for the Financial Feasibility Consultant for the Hartsfield Development Program at Hartsfield Atlanta International Airport; and for other purposes. **FILE**

02O1393(2) An Ordinance by Transportation Committee amending the 2002 (Airport Renewal & Extension Fund) Budget by transferring to and from appropriations the amount of \$29,706,113.00 to provide funding for several Airport

Capital Projects from the appropriate accounting sources within the Airport Renewal & Extension Fund.

FAVORABLE (1 ABSTENTION)

RESOLUTIONS

02R1567(1) A **Substitute** Resolution by Transportation Committee authorizing the Mayor to execute an appropriate contractual agreement for FC-7369-01B, Architectural and Engineering Major Support Services with Aviation Consulting Team comprised of Pond & Company, IMDC and the LPA Group to provide Civil Engineering Services for the Department of Aviation in accomplishing the Capital Expansion Program and the other passenger and facility improvements at Hartsfield Atlanta International Airport based on actual hourly rates times the agreed upon multiplier; all services shall be charged to and paid from Various Fund, Account and Center Numbers. **FILE**

02R1571(2) A Resolution by Transportation Committee authorizing the Mayor to execute an appropriate contractual agreement for FC-7369-01A, Architectural and Engineering Major Support Services with Hartsfield America Joint Venture Comprised of PBJ&J and Brindley Pieters & Associates, Inc., to provide Civil Engineering Services for the Department of Aviation in accomplishing the Capital Expansion Program and the other passenger and facility improvements at Hartsfield Atlanta International Airport based on actual hourly rates times the agreed upon multiplier; all services shall be charged to and paid from Various Fund, Account and Center Numbers.

FILE

TRANSPORTATION COMMITTEE (2) 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)**

02O1038(2) An Ordinance by Councilmember Derrick Boazman authorizing the Mayor or her designee to install speed humps on Erin Avenue, SW and Melview Avenue, SW; and for other purposes. **(Held 6/12/02)**

02O1259(3) An Ordinance by Councilmembers Clela Winslow and Ivory Lee Young, Jr. authorizing the Mayor or her designee to make the intersection of Fair Street, SW at Walker Street, SW an All-Way Stop; and for other purposes. **(Held 7/10/02)**

02O1265(4) An Ordinance by Councilmember Felicia A. Moore authorizing the Mayor or her designee to install a painted crosswalk at 55 Trinity Avenue, for the protection and general welfare of the Citizens and Employees of the City of Atlanta; and for other purposes. **(Held 7/10/02)**

02O1543(5) An Ordinance by Councilmember C. T. Martin authorizing the Mayor or her designee to install a Traffic Signal at the Intersection of Lynhurst Drive, SW and Cascade Road; and for other purposes. **(Held 9/10/02)**

02O1585(6) An Ordinance by Councilmember Debi Starnes to establish a Residential Only Loading and Unloading Zone in Downtown Atlanta. **(Held 10/2/02)**

02R1665(7) A Resolution by Transportation Committee authorizing the Mayor to execute Contract FC-75030, Comprehensive Fixed Asset Inventory and Valuation Services for Hartsfield Atlanta International Airport with American Appraisal Associates to perform physical inspection and inventory of all assets of City of Atlanta, Department of Aviation, with a unit original cost greater than \$1000.00. All contracted Appraisal Services to be provided in an amount not to exceed . All services to be charged to and paid from Fund, Account and Center Number.; and for other purposes. **(Held 10/2/02)**

TRANSPORTATION COMMITTEE (3) H. LAMAR WILLIS, CHAIR

PAPERS HELD IN COMMITTEE (CONT'D)

02R1715(8) A Resolution by Transportation Committee authorizing the Mayor to execute Change Order No 2 for FC-7241-00, 5th Runway Trunk Drainage and Sewers with Thalle Construction/Artis Group, A Joint Venture on behalf of the Department of Aviation in an amount not exceed \$6,500,000.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2H21 574001 R21E05069999. **(Held 10/2/02) (Worksession held 10/4/02)**

02R1716(9) An **Amended** Resolution by Transportation Committee authorizing the Mayor to execute an appropriate contractual agreement for FC-7320-01, Architectural and Engineering Design Services for Concourse “E” Expansion and Landside Access (CEELA) RFP with a Joint Venture comprised of Leo A. Daly/Khafra Engineering Consultants, Browder + Leguizmon & Associates and Anthony C. Baker Architects & Planners, to provide Architectural and Engineering Design Services for Concourse “E” Expansion and Landside Access for the Department of Aviation in accomplishing the Capital Expansion Program and other Passenger and Facility Improvements at Hartsfield Atlanta International Airport in an amount not to exceed \$38,315,118.00. All contracted work shall be charged to and paid from Various Fund, Account and Center Numbers; and for other purposes. **(Held 10/2/02)**

MEMBERS PRESENT: WILLIS, SHOOK, SMITH & FAUVER

ZONING COMMITTEE DEBI STARNES, CHAIR

ZRB SUMMARY REPORT (SEE ATTACHED LIST)

FAVORABLE

<u>02-O-0849</u>	Z-02-48	3714,3717 and 3727 Vermont Road, NW (B-7)	RG-2 to R-3	Approval	Approval	Favorable
-						
<u>02-O-1359</u>	U-02-20	399 Macedonia Road, SE (Z-12)	Special School	Approval	Approval	Favorable

FAVORABLE ON

SUBSTITUTE

<u>02-O-1356</u>	Z-02-59/Z-00-86	800 W. Marietta Street, NW/719 Jefferson Street, NW (L-3)	Site Plan Amendment	Approval on Condition	Approval	Favorable on Substitute
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ADVERSE

02-O-1270	U-02-16	72 Milton Avenue, SE	Transfer Station	Denial	Denial	Adverse
		(V-1)				

02-O-1361	U-02-22	1135 Ormewood Avenue, SE	Private School	Denial	Denial	Adverse
		(W-1)				

HELD

02-O-0253	Z-02-18	Pittsburgh Neighborhood	Various	Approval	Approval	Favorable
		(V-4)				

HELD PENDING CDP AMENDMENT

02-O-1267	Z-02-52	2451 Bankhead Highway, NW	R-5 to C-2-C*	Approval on Condition	Approval	Favorable on Substitute
		(J-9)				

ORDINANCES FOR SECOND READING

02O1612(1) CDP-022 An Ordinance by Community Development/Human Resources Committee to amend the Land Use Element of the City of Atlanta 2003 Comprehensive Development Plan (CDP) so as to re-designate property that is located at **2230 Cascade Road, SW**, from the "Single-Family" Land Use Designation to the "Low Density Commercial" Land Use Designation; and for other purposes. **(Public Hearing held 9/23/02) (Favorable by CD/HR on 10/1/02) NPU-R Council District 11 FAVORABLE**

02O0870(2) Z-023 A **Substitute** Ordinance by Zoning Committee to rezone from the R-4 (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 FAVORABLE ON SUBSTITUTE

02O1611 (3) CDP-022 An Ordinance by Community Development/Human Resources Committee to amend the Land Use Element of the City of Atlanta 2003 Comprehensive Development Plan (CDP) so as to re-designate property that is located at **1366 Memorial Drive, SE**, from the "Single-Family" Land Use Designation to the "Low Density Commercial" Land Use Designation; and for other purposes. **(Public Hearing held 9/23/02) (Favorable by CD/HR on 10/1/02) NPU-O Council District 5 FAVORABLE**

ZONING COMMITTEE (2) DEBI STARNES, CHAIR

ORDINANCES FOR SECOND READING

02O0873(4) Z-023 A Substitute Ordinance by Zoning Committee to rezone from the R-4A (Single-Family Residential) District to the C-1-C (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

FAVORABLE ON SUBSTITUTE

02O1595 (5) CDP-021 An Ordinance by Community Development/Human Resources Committee to amend the Land Use Element of the City of Atlanta 2003 Comprehensive Development Plan (CDP) so as to re-designate property that is located at **608 Ralph McGill Boulevard, NE**, from the "Low Density Residential" Land Use Designation to the "Low Density Commercial" Land Use Designation; and for other purposes. **(Public Hearing held 9/23/02) (Favorable by CD/HR on 10/1/02) NPU-M Council District 2 FAVORABLE**

02O1062(6) Z-024 A Substitute Ordinance by Zoning Committee to rezone from the R-4 (Single-Family Residential) District to the C-1-C (Community Business-Conditional) District, property located at **608 Ralph McGill Boulevard, NE**, fronting 230 feet on the north side of Ralph McGill Boulevard beginning at the northeast corner of Glen Iris Drive.

Depth: Varies

Area: Approximately 2.31 Acres

Land Lot: 18 of the 14th District Fulton County, Georgia

Owner: Ivan Allen Company

Applicant: Allen Inman

By: M. Hakim Hilliard

NPU-M Council District 2

FAVORABLE ON SUBSTITUTE

ZONING COMMITTEE (3) DEBI STARNES, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

02O1596(7) CDP-022 An Ordinance by Community Development/Human Resources Committee to amend the Land Use Element of the City of Atlanta 2003 Comprehensive Development Plan (CDP) so as to re-designate property that is located at **922-940 Memorial Drive, SE**, from the "Industrial" Land Use Designation to the "Low-Density Commercial" Land Use Designation; and for other purposes. (Public Hearing held 9/23/02) (Favorable by CD/HR on 10/1/02) NPU-W Council District 5 **FAVORABLE**

02O1064(8) Z-024 A Substitute Ordinance by Zoning Committee to rezone from the I-2 (Heavy Industrial) District to the C-1-C (Community Business-Conditional) District, property located at **922-940 Memorial Drive, SE**, fronting 310 feet on the north side of Memorial Drive beginning at the northwest corner of Memorial and Holtzclaw Drive.

Depth: Varies

Area: 2.1 Acres

Land Lot: 13 of the 14th District, Fulton County, Georgia

Owner: Jeff Notrica

Applicant: David Green

NPU-N Council District 5

FAVORABLE ON SUBSTITUTE

02O1597(9) CDP-022 An Amended Ordinance by Community Development/ Human Resources Committee to amend the Land Use Element of the City of Atlanta 2003 Comprehensive Development Plan (CDP) so as to re-designate property that is located at **519-573 Western Avenue, NW**, from the "Medium Density Residential and Low Density Commercial" Land Use Designations to the "Mixed-Use" Land Use Designation; and for other purposes. (Public Hearing held 9/23/02) (Favorable by CD/HR on 10/1/02) NPU-L Council District 3 **FAVORABLE AS AMENDED**

02O1065(10) Z-024 A Substitute Ordinance by Zoning Committee to rezone from the I-1 (Light Industrial) District to the C-3-C (Commercial Residential-Conditional) District, property located at **519-573 Western Avenue, NW**, fronting 275 feet on the westside of Northside Drive beginning at the northwest corner of Western Avenue.

Depth: Varies

Area: 8.2 Acres

Land Lot: 82 of the 14th District, Fulton County, Georgia

Owner: Bethursday Development Corporation

Applicant: Same

NPU-L Council District 3

FAVORABLE ON SUBSTITUTE

02O1063(11) Z-024 A Substitute Ordinance as amended by Zoning Committee to rezone from the RG-2 (Residential-General Sector 2) District to the R-LC-C (Residential-Limited Commercial-Conditional) District,

property located at **1640 (a.k.a. 1636) Piedmont Road, NE**, fronting 120 feet on the west side of Piedmont Road beginning 503.45 feet from the southwest corner of Piedmont and Pelham Roads.

Depth: Varies

Area: .27 Acre

Land Lots: 51 and 56 of the 17th District, Fulton County, Georgia

Owner: Ronnie Antebi

Applicant: David Green

NPU-F Council District 6

FAVORABLE ON SUBSTITUTE AS AMENDED

ORDINANCES FOR FIRST READING

02O1720(1) An Ordinance by Zoning Committee to amend Ordinance 02O0686to extend interim development controls on permits for new construction, exterior rehabilitation and modifications to the exterior of existing structures in the Mechanicsville Neighborhood and to give the Director of the Bureau of Buildings certain emergency repair powers; and for other purposes.

TO BE REFERRED TO ZONING COMMITTEE

02O1723 (2) Z-027 An Ordinance by Zoning Committee to amend Atlanta zoning Code Sections 16-20.008(b)(4)b. and 16-20.008(c)(2)a. so as to remove the requirement that public hearings on Certificates of Appropriateness shall be published in a newspaper of general circulation and requiring instead that such notice be published on the City's Web Site; and for other purposes.

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

02O1724(3) Z-027 An Ordinance by Zoning Committee to amend Section 16- 20.006(e)(1) to extend the time to notify property owners of a Historic or Landmark Designation; and for other purposes.

TO BE REFERRED TO ZRB AND ZONING COMMITTEE

PAPERS HELD IN COMMITTEE

02O0181(1) Z-020An Ordinance by Zoning Committee designating the Medical 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)**

02O0591(2) Z-022 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. **(Held 8/27/02) (Favorable by Zoning Committee 7/31/02) (Referred back by Council 8/19/02)**

02O0874(3) Z-023 A **Substitute** Ordinance by Zoning Committee to rezone from the R-5 (Two-Family Residential) District to the PD-H (Planned Development-Housing) 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. **(Held 8/27/02)**

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

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

FINANCE/EXECUTIVE COMMITTEE FELICIA A. MOORE, CHAIR

02T-172 (1) A Report of the Chief Financial Officer of the transfer of appropriations from one Line Item to another Line Item to various funds as approved under Section 6-3049(b) of the Charter of the City of Atlanta. **FILE**

ORDINANCES FOR SECOND READING

02O1449(1) A Reorganization Charter Amendment by the Finance/Executive Committee to amend the Charter of the City of Atlanta to effect Reorganization of the Executive Branch pursuant to Section 3-302 of the Charter of the City of Atlanta, Georgia (1996 Georgia Laws pp. 4469, et Seq., as amended), adopted under and by virtue of the Municipal Home Rule Act of 1965, O.C.G.A. §36-35-1, et Seq., so as to delete Appendix IV in its entirety for the purpose of transferring the provisions thereof to the Code of Ordinances; to amend Article Six, Chapter Four, Section 6-402 to substitute "Chief Procurement Officer" for "Director of Bureau of Purchasing and Real Estate;" to repeal conflicting Ordinances; and for other purposes.

FAVORABLE, 3RD READING, FINAL ADOPTION

02O1463(2) An Ordinance by Councilmembers Felicia A. Moore and H. Lamar Willis **as substituted by Finance/Executive Committee** regarding a Second Supplemental Bond Ordinance supplementing the restated and amended Master Bond Ordinance of the City of Atlanta adopted on March 20, 2002, as amended and supplemented by the First Supplemental Bond Ordinance of the City of Atlanta adopted on March 30, 2000 to provide for the issuance of Airport General Revenue Bonds to provide funds to finance or refinance in whole or in part, the cost of the planning, engineering, design, acquisition and construction of certain improvements to William B. Hartsfield Atlanta International Airport, to provide for a reasonably required debt service reserve, and to pay expenses relating thereto; to authorize the preparation, use and distribution of a preliminary official statement in connection with the offer and sale of the bonds; to provide for the annual submission of certain financial information and operating data pursuant to Rule 15c2-12 of the Securities and Exchange Commission; to provide for the issuance of Airport Limited Obligation Bond Anticipation Notes to provide funds to finance such undertaking on an interim basis; to ratify, authorize and approve the preparation, use and distribution of a preliminary official statement and a final official statement in connection with the offer and sale of the Bond Anticipation Notes; to provide for the form of Bond Anticipation Note and for the execution of the Bond Anticipation Notes; to provide for the place of payment of the principal of and interest on the Bond Anticipation Notes; and for other purposes. **FAVORABLE ON CONDITION**

02O1630(3) An Ordinance by Councilmember Debi Starnes to ask the State of Georgia to adequately fund the production of supportive housing, needed by the chronically mentally ill citizens who live in Georgia. **FILE**

RESOLUTION

[02R1494\(1\)](#) A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor to enter into an Appropriate Contractual Agreement with Site Engineering, Inc. for FC-7163-99, Grant Park Erosion and Flood Control Phase II Improvements in an amount not to exceed \$3,500,227.06. All contracted work shall be charged to and paid from the following Fund, Account and Center Numbers: 1C33 574001 M22I030692BC - \$750,944.71, 1C37 574001 M22I030692BC - \$100,585.42, 1C39 574001 M22I030692BC \$2,363,753.53, 1C22 574001 N12D11B69999 \$284,943.40 **FAVORABLE (1 NAY)**

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)**

[02O0373\(2\)](#) 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)**

[02O0375\(3\)](#) 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\(4\)](#) 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)**

[02O0679\(5\)](#) 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\(6\)](#) 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)**

[02O0955\(7\)](#) An Ordinance by Councilmember 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 with the City, adhere to the rules, regulations and the operational procedures of the City's Purchasing Code. **(Held 5/29/02)**

[02O0963\(8\)](#) 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\(9\)](#) An Ordinance by Councilmember Clair Muller **as substituted by Finance/Executive Committee** to amend the Festival Ordinance to provide for additional permit requirements for municipal services for festival organizers. **(Held 5/29/02)**

[02R1137\(10\)](#) A Resolution by Councilmembers Clair Muller and C. T. Martin **as substituted by Finance/Executive**

Committee by the Atlanta City Council to include in the 2003 City Legislative Package a request to the Fulton County Delegation to conduct a study and hold Public Hearings on an exemption on School Ad Valorem Taxes for those Senior Citizens 65 years of age and over. **(Referred back from Council 9/03/02) (Substituted and held 9/11/02)**

[02R1394\(11\)](#) A Resolution by Finance/Executive Committee authorizing the Mayor to execute a Quitclaim Deed conveying property located at 143 Alabama Street, SW, in Land Lot 77, of the 14th District of Fulton County, Georgia to the State of Georgia Department of Transportation for demolition and site clearance for the construction of the Downtown Atlanta Multimodal Passenger Terminal Facility; and for other purposes. **(Held 8/28/02)**

[02O1396\(12\)](#) An Ordinance by Finance/Executive Committee amending the 2002 (General Government Capital Outlay Fund) Budget, Department of Public Works, by transferring between accounts the sum of \$700,000.00 for the purpose of funding Streetscape Improvements for Perry Boulevard, Pryor Road, and construction of the Spring Street Viaduct and the implementation of Phase II Trails at the Olmstead Linear Park; and for other purposes. **(Held 9/11/02)**

[02R1464\(13\)](#) A Resolution by Councilmembers Felicia A. Moore and H. Lamar Willis to declare the result of the public offering of \$300,000,000.00 Aggregate Principal Amount of City of Atlanta Airport Limited Obligation Bond Anticipation Notes, Series 2002; to accept the best bid to purchase said bond anticipation notes; to provide for the delivery of said bond anticipation notes; and for other purposes. **(Held 8/28/02)**

[02R1470\(14\)](#) A Resolution by Councilmembers C. T. Martin and Derrick Boazman submitting a request to the 2003 Georgia General Assembly to amend the Georgia State Code to require that landlords, when evicting a tenant, store the tenant's belongings; to make said request a part of the City's 2003 Legislative Package; and for other purposes. **(Held 8/28/02)**

[02O1472\(15\)](#) An Ordinance by Councilmembers C. T. Martin and Derrick Boazman **as substituted by Finance/Executive Committee** to amend the City of Atlanta Pension Laws (General, Police and Fire) so as to provide credit for prior service as a member of the Armed Forces of the United States; to repeal conflicting ordinances; and for other purposes. **(Held 8/28/02)**

(REFER TO PENSION BOARD)

[02R1488\(16\)](#) A Resolution by Finance/Executive Committee authorizing the Mayor to Quitclaim to the Atlanta Board of Education five (5) School Properties, Gilbert Elementary, North Fulton High, Bair Village Elementary, Pryor Street Elementary and Bolton Elementary Schools, located in Land Lots 34, 70, 74 and 75 of District 14 and Land Lots 100 and 230 of District 17, Fulton County, Georgia. **(Held 8/28/02)**

[02O1489\(17\)](#) An Ordinance by Finance/Executive Committee amending the 2002 (Park Improvement Fund) Budget, so as to transfer appropriations in the amount of \$352,156.71 to Anderson Park Recreation Center Improvements; Lang Carson Park Recreation Center Improvements; and the Brownwood Park Recreation Center Improvements Account identified as Construction of Buildings Citywide, Fund, Account and Center Number: 1C22 773001 N12D09B69999 on behalf of the Department of Parks, Recreation and Cultural Affairs; and for other purposes. **(Held 9/11/02)**

[02O1499\(18\)](#) A **Substitute** Ordinance by Finance/Executive Committee to amend the FY2002 Special Revenue Fund Budget for the Traffic Court Operations by transferring the amount \$7,880,240.00 from the Reserve Designated Account-Lease/Purchase New Traffic Court Facility to appropriate additional funds for the purposes of funding certain programs for Traffic Court Operations; and for other purposes. **(Held 10/2/02)**

[02O1556\(19\)](#) An Ordinance by Finance/Executive Committee to amend the 2002 (Airport Renewal & Extension Fund) Budget by transferring to and from appropriations the amount of \$6,500,000.00, for the purposes of funding a Change Order No. 2 to Airport Contract FC-7241-00, 5th Runway Trunk Drainage and Sewers with Thalle Construction/Artis Group JV, a Joint Venture that shall be charged to and paid from Fund, Account and Center Number 2H21 574001 R21E05069999; and for other purposes. **(Held 10/2/02)**

[02R1579\(20\)](#) A Resolution by Councilmember Jim Maddox requesting that the Georgia State Legislature, at its 2003

Legislative Session, amend Section 16-12-20 of the Georgia Code so as to authorize municipalities with Special Entertainment Districts the authority to institute pari-mutuel betting and/or casino gambling; and for other purposes. **(Held 9/11/02)**

02O1587(21) An Ordinance by Councilmember C. T. Martin **as substituted by Finance/Executive Committee** to update the Public Safety Employee Work Rules by amending Chapter 98, Article II, Division One, Section 98-26 of the Code of Ordinances of the City of Atlanta, "Duties of Police Chief", and Chapter 98, Article IV, Division Two, Section 98-153, of the Code of Ordinances of the City of Atlanta, "Duties of Chief of Corrections", to authorize the Chiefs of Police and Corrections to make administrative changes in the employee work rules; to repeal conflicting ordinances; and for other purposes **(Substituted and held 10/2/02)**

02O1590(22) An Ordinance by Councilmember Clair Muller **as amended by Finance/Executive Committee** to amend Article "V" Classification Plan, Section 114-477, of the Code of Ordinances, City of Atlanta, Georgia, so as to transfer certain positions; and for other purposes. **(Amended and held 9/11/02)**

02R1626(23) A Resolution by Councilmembers Derrick Boazman and Carla Smith authorizing the Mayor or her designee to enter into a Lease Agreement with the Fulton County Library Board to re-locate the Carver Homes Library Branch to the John Birdine Neighborhood Facility; to accept leasehold improvements in lieu of rent; and for other purposes. **(Held 10/2/02)**

02O1627(24) An Ordinance by Councilmembers Cleta Winslow, Felicia Moore and Jim Maddox providing the for issuance of \$8,000,000.00 an Aggregate Principal Amount of City of Atlanta General Obligation Bonds for various purposes, pursuant to and in accordance with Amendments to the Constitution of the State of Georgia ratified at the General Election held on November 5, 1968, and proclaimed by the Governor of the State of Georgia on December 13, 1968 (1968 GA. Laws 1582 to 1584, Inclusive). **(Held 10/2/02) (Advertised for a Public Hearing 10/21/02)**

02R1628(25) A Resolution by Councilmembers C T. Martin and Cleta Winslow requesting that the Mayor or her designee provide notice to Council Members when construction and building permits are issued in their district; and for other purposes. **(Held 10/2/02)**

02O1629(26) An Ordinance by Councilmember Cleta Winslow amending the 2002 Water and Sewer Revenue Fund Budget in the amount of \$700,000.00 to provide funding for the transfer of fifteen positions from the Sanitary Services Revenue Fund to the Water and Sewer Fund; and for other purposes. **(Held 10/2/02)**

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

COMMITTEE ON COUNCIL ANNE FAUVER, CHAIR

COMMUNICATIONS

02C1618(1) A Communication by Councilmembers Natalyn M. Archibong, Anne Fauver and Mary Norwood to appoint **Mr. Young T. Hughley** to serve as a member of the People TV Board of Directors. This appointment is scheduled to begin on the date of Council confirmation. **(Forwarded Without Recommendation by City Utilities Committee, 10/1/02)**

02C1619(2) A Communication by Mayor Shirley Franklin appointing **Dr Hazel J. Scott** to serve as a member of the Atlanta Commission on Women. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.

02C1620(3) A Communication by Mayor Shirley Franklin re-appointing **Ms. Eva B. Davis** to serve as a Taxicabs & Vehicles For Hire Hearing Officer for the City of Atlanta. This reappointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation. **(Favorable by Public Safety and Legal Administration Committee. 10/1/02)**

[02C1621\(4\)](#) A Communication by Mayor Shirley Franklin to reappoint **Ms. Lynn P. Cobb** to serve as a member of the Keep Atlanta Beautiful Board. This reappointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation. **(Favorable by City Utilities Committee, 10/1/02)**

[02C1622\(5\)](#) A Communication by Mayor Shirley Franklin to reappoint **Ms. Lisa P. Haygood** to serve as a member of the Keep Atlanta Beautiful Board. This reappointment is for a term of two (2) years, scheduled to begin on the date of Council **(Forwarded Without Recommendation by City Utilities Committee, 10/1/02)**

[02C1623\(6\)](#) A Communication by Mayor Franklin appointing **Mr. Clinton Dye, III** to serve as a member of the In Rem Review Board. This appointment is for a term of three (3) years, scheduled to begin on the date of Council confirmation. **(Forwarded Without Recommendation by Community Development/Human Resources Committee, 10/1/02)**

[02C1624\(7\)](#) A Communication by Mayor Franklin appointing **Mr. John Aderhold** to serve as a member of the Woodruff Park Advisory Board of Directors. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation. **(Forwarded Without Recommendation by Community Development/Human Resources Committee, 10/1/02)**

[02C1625\(8\)](#) A Communication by Mayor Franklin appointing **Mr. Leonardo Alvarez** to serve as a member of the City Urban Design Commission in the position of Landscape Architect. This appointment is for a term of three (3) years, scheduled to begin on the date of Council confirmation. **(Forwarded Without Recommendation by Community Development/Human Resources Committee, 10/1/02)**

[02C1639\(9\)](#) A Communication by Council President Cathy Woolard nominating **Mr. Scott Walker** for reappointment to the Human Relations Commission as a Class A member for a term of three (3) years, scheduled to begin on the date of Council confirmation.

[02C1640\(10\)](#) A Communication by Mayor Franklin appointing **Mr. Charles Graves** as the Commissioner of Planning and Neighborhood Development. **(Favorable by Community Development/Human Resources Committee, 10/1/02)**

ORDINANCE FOR SECOND READING

[02O1634\(1\)](#) An Ordinance by Councilmember Natalyn Mosby Archibong amending Sections 2-2046 through 2-2059 of the Code of Ordinances entitled "Community Relations Commission" by repealing these sections; and for other purposes.

ORDINANCE FOR FIRST READING

[02O1722\(1\)](#) An Ordinance by Committee on Council to amend the 2001 City of Atlanta Precinct and Polling Places in Precincts 3J, 3T, 3N1, 3N2, 3V, 7E1, 7E2, 7K, 8F, 8R, 9E & 9J; and for other purposes.

COMMITTEE ON COUNCIL (3) ANNE FAUVER, CHAIR

PAPERS HELD IN COMMITTEE

[02O0840\(1\)](#) 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\(2\)](#) 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 1-102 (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)

02C1402(3) A Communication by Mayor Shirley Franklin appointing **Mr. Sam Matchett** to serve as a member of the Municipal Market Board of Directors (Lawyer Slot) of the City of Atlanta for a term of two (2) years, scheduled to begin on the date of Council confirmation. (Forward Without Recommendation by Community Development/Human Resources Committee, 8/27/02) (Held 9/3/02)

MEMBERS PRESENT:

CITY UTILITIES COMMITTEE CLAIR MULLER, CHAIR

RESOLUTION

02R1721(1) A Resolution by City Utilities Committee authorizing the Mayor to execute Rights of Entry in favor of the Georgia Department of Transportation and as needed to accomplish the 17th Street Bridge and Extension Project in the City of Atlanta; and for other purposes.

FAVORABLE ON CONDITION

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) (Worksession held 9/4/02)

02O0164(2) An Ordinance by Councilmember Debi Starnes to **abandon** Johnson Avenue, between Randolph Street and the Dead End to the west. (Public Hearing held 6/11/02) (Referred back by Council 6/17/02) (Held 6/25/02)

02O0685(3) 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)

02O0867(4) 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)

02O0964(5) An Ordinance by Councilmember Clair Muller **as substituted by City Utilities Committee** to amend certain provisions in the City of Atlanta's Code of Ordinances to codify additional requirements for Storm Water Management and Hydrological Analysis for developments permitted in the City of Atlanta; amending Sections 74-38 and 74-107 of the Code; and for other purposes. (Referred back by Council 6/3/02) (Held 6/11/02)

02O1295(6) An Ordinance by Councilmember Debi Starnes to amend Article II, Division 1, Section 130-37(b) of the Code of Ordinances of the City of Atlanta, so as require Multi-Family Complexes to contract with private haulers for pickup of bulky items that cannot be placed in the designated dumpsters; and for other purposes. (Held 7/30/02)

02O1497(7) An Ordinance by City Utilities Committee amending the 2002 (Water & Sewerage Renewal and Extension Fund) Budget by transferring from Reserve Account the sum of \$1,500,000.00 for the purpose of making payment to United Water Services Atlanta for meter installations performed during Fiscal Year 2002; and for other purposes. (Held 9/10/02)

02R1536(8) A Resolution by City Utilities Committee authorizing the sale of abandoned Ralph McGill

Boulevard, NE in Land Lot 15 of the 14 District, Fulton County, Georgia to Robert L. Kay, Jr. and Linda S. Kay, the abutting property owners. (Held 9/10/02)

02R1588(9) A Resolution by Councilmember Clair Muller authorizing the Mayor or designee to enter into an appropriate contractual agreement with Brown and Caldwell for FC-74010, Log Term Wastewater System Master Plan on behalf of the Department of Public Works in an amount not to exceed \$2,950,000.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2J27 524001 M24I22029999. (Held 9/10/02)

02R1593(10) A Resolution by Councilmember Clair Muller authorizing the Mayor to enter into a contractual agreement with Kemi Construction Company, Inc., for FC-7412-02, Annual Contract for Storm Sewers on behalf of the Department of Public Works in an amount not to exceed \$2,638,350.00; all contracted work shall be charged to and paid from Various Fund, Account and Center Numbers. (Held 9/10/02)

02O1632(11) An Ordinance by Councilmembers Ceasar C. Mitchell and H. Lamar Willis authorizing the Mayor or her designee to pave the unpaved portion of Cahaba Drive, SW once a survey has been done and funding identified; and for other purposes. (Held 10/2/02)

MEMBERS PRESENT: MULLER, SHOOK, WILLIS, WINSLOW, MITCHELL & MADDOX

*Questions or Comments for City Council
(pryan@atlantaga.gov)*

[Webmaster](#)

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