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ATLANTA CITY COUNCIL

AGENDA

December 02, 2002

Order of Business for the Atlanta City Council

Monday, December 2, 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

Committee on Council Anne Fauver 24**

City Utilities Committee Clair Muller 26

Community Development/Human

Resources Committee Cleta Winslow 30

Public Safety and Legal

Administration Committee Ceasar C. Mitchell 35

Finance/Executive Committee Felicia A. Moore 37

Transportation Committee H. Lamar Willis 44

Zoning Committee Debi Starnes 47

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

CITY UTILITIES COMMITTEE - CLAIR MULLER, CHAIR

02-O-1925 (1) An Ordinance by City Utilities Committee amending the 2002 (1999 Water and Wastewater Bond Fund) Budget in an amount not to exceed \$510,989.11 for construction of Veterans Hospital Trunk Sewer; and for other purposes.

02O1926(2) A Substitute Ordinance by City Utilities Committee amending the 2002 (1997 G. O. Public Improvement Bond Part B Fund-1994 Referendum G. O. Bonds) Budget in the amount of \$705,558.68 for Construction Management Services for Stormwater Drainage and Sanitary Sewer Improvement Projects; and for other purposes.

02O1927(3) An Ordinance by City Utilities Committee authorizing Automobile Expense Reimbursement for Position Nos. 7122, 7124, 7154, 7343, 7403, 7503, 7611, 8443, 16523, 17082, 17454, 20577, 20578, 20583, 20584, 20585, 20587, 20589 and 22189 on behalf of the Department of Watershed Management, Wastewater Services Division; and for other purposes.

02O1928(4) A Substitute Ordinance by City Utilities Committee amending the 2002 (1994 Referendum General Obligation Bond Fund and 1997 G. O. Public Improvement Bond Fund-1994 Referendum G. O. Bonds) Budgets in the amount of \$2,769,750.35 for construction services associated with Stormwater Drainage Projects; and for other purposes.

02O1929(5) A Substitute Ordinance by City Utilities Committee amending the 2002 (1992 Bond Project Fund, 1993 Bond Project Fund, 1994 Referendum General Obligation Bond Fund, 1996 G. O. Public Improvement Bond Part B-1994 Referendum G. O. Bonds, 1997 G. O. Public Improvement Bond Fund-1994 Referendum G. O. Bonds) Budgets in the amount of \$2,521,988.44 for closeout of accounts associated with completed projects; and for other purposes.

02O1969(6) An Ordinance by Councilmember Clair Muller to amend Article II, Section 130-1 of the City of Atlanta Code of Ordinances; and for other purposes.

02O1976(7) An Ordinance by Councilmember Jim Maddox to amend various Sections of Chapter 138 regarding streets, sidewalks and the public rights-of-way so as to clarify the intent of specific sections contained therein; to repeal conflicting sections; and for other purposes.

02O2096(8) An Ordinance by Councilmember Carla Smith to amend Chapter 138, Section 8 of the Code of Ordinances to modify the requirements for effecting street name changes; to encourage the dedication of parkland and other available public spaces as the preferred method of meritorious recognition over street name changes; and for other purposes.

COMMUNITY DEVELOPMENT/HUMAN

RESOURCES COMMITTEE - CLETA WINSLOW, CHAIR

02O2095(9) An Ordinance by Councilmember Carla Smith amending the 2002 (Intergovernmental Grant Fund) Budget, Department of Parks, Recreation and Cultural Affairs, by adding to anticipations and appropriations in the amount of \$1,180,000.00 for the purpose of renovating the South Bend Neighborhood Center, located at 1955 Compton Drive, SE, Atlanta, GA 30315; and for other purposes.

02O1998(10) An Ordinance by Community Development/Human Resources Committee amending the 2003 Comprehensive Development Plan (CDP) to incorporate Atlanta's 2000-2004 Consolidated Plan for the Twenty-Ninth Year Community Development Block Grant (CDBG) Program, 2003 Emergency Shelter Grant (ESG) Program, 2003 Home Investment Partnership (HOME) Program and 2003 Housing Opportunities for Persons with AIDS (HOPWA) Program; and for other purposes. (Public Hearing held 11/25/02)

02O1892(11) An Ordinance by Councilmember Natalyn M. Archibong as substituted by Community Development/Human Resources Committee to amend the Land Use Map of the City of Atlanta 2003 Comprehensive Development Plan (CDP) as amended so as to re-designate certain property in Land Lot 209 of the 15th District Dekalb County, City of Atlanta from the "Industrial and Low Density Residential" Land Use Designation to the "Mixed-Use" Land Use Designation; (Providing a minimum of 20% Residential) and for other purposes. (Advertised for a Public Hearing 11/25/02)

02O1903(12) 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 properties located in the Reynoldstown Neighborhood Master Plan, adopted by the Atlanta City Council January 16, 2001, from Various Land Use Designations to Various Land Use Designations; and for other purposes. (Public Hearing held 11/25/02) NPU-N Council District 5

02O1907(13) 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 properties located within Neighborhood Planning Unit "N", from the "Single Family" Land Use Designation to the "Open Space" Land Use Designation; and for other purposes. (Held 11/12/02) (Public Hearing held 11/25/02) NPU-N Council District 5

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

02O1139(14) An Ordinance by Councilmember Debi Starnes as substituted by Public Safety and Legal Administration Committee to amend Chapter 10, Article II, Section 10-92(B) of the Code of Ordinances so as to provide an exemption from the distance requirement between package stores licenses to sell malt beverages and/or wine by the package for the Sweet Auburn Curb Market; and for other purposes.

02O1292(15) An Ordinance by Councilmember Debi Starnes as substituted by Public Safety and Legal Administration Committee to amend the Code of Ordinances, City of Atlanta, Georgia, Chapter 10, Article II, Division 65, Section 10-207, so as to make Section 10-207 applicable to lessees of premises licensed for the sale of alcoholic beverages; and for other purposes.

02O1913(16) A Substitute Ordinance by Public Safety and Legal Administration Committee amending the 2002 (Intergovernmental Grant Fund) Budget, Department of Police for a grant from the Governor's Office of Highway Safety to continue operation of the Metro Atlanta DUI Task Force; and for other purposes.

02O1930(17) A Substitute Ordinance by Public Safety and Legal Administration Committee to amend the 2002 (Intergovernmental Grant Fund) Budget, Department of the Mayor, by adding to anticipations and appropriations in the amount of \$425,000.00 from the Department of Justice and City of Atlanta matching funds for the continuation of the Weed & Seed Strategy in Atlanta.

02O2103(18) An Ordinance by Councilmember Ceasar C. Mitchell to authorize the use of speed detection devices on State Routes within the City of Atlanta as approved by the Georgia Department of Transportation: to establish and specify speed limits on State Routes and Off-System Routes within the City of Atlanta; and for other purposes.

FINANCE/EXECUTIVE COMMITTEE - FELICIA A. MOORE, CHAIR

02O1922(19) A Substitute Ordinance by Finance/Executive Committee amending the 2002 (Intergovernmental Grant Fund) Budget, Department of Parks, Recreation and Cultural Affairs, Bureau of Cultural Affairs by adding to anticipations and appropriations in the total amount of \$6,500.00 for the purpose of funding exhibition expenses of the City Gallery East for the 2002/2003 Exhibition Seasons; and for other purposes.

02O1923(20) A Substitute Ordinance by Finance/Executive Committee amending the 2002 (Intergovernmental Grant Fund) Budget, Department of Parks, Recreation and Cultural Affairs by adding to anticipations and appropriations in the total amount of \$4,342.00 for the purpose of funding exhibition and programming expenses of the City Gallery at Chastain and the City Gallery East for the 2002/2003 Exhibition Seasons; and for other purposes.

02O2091(21) An Ordinance by Councilmember Derrick Boazman authorizing the City Attorney to institute necessary legal action through Condemnation by the Declaration of Taking Method to obtain Fee Simple Title to the real property generally known as 5074 Southridge Parkway, College Park, Georgia, 30337, for public use in connection with the proposed Fifth Runway Project at the William B. Hartsfield Atlanta International Airport, with the costs thereof to be charged to and paid from Fund, Account and Center No. 2H26 571001 R21E052096AA; and for other purposes.

02O2092(22) An Ordinance by Councilmember Derrick Boazman authorizing the City Attorney to institute necessary legal action through condemnation by the Declaration of Taking Method to obtain Fee Simple Title

to: (1) the real property generally known as 5025 Derrick Jones Road, College Park, Georgia 30349; (2) the real property generally known as 5000 Southridge Parkway, College Park, Georgia 30349; (3) the real property generally known as 5099 Southridge Parkway, College Park, Georgia 30349; and (4) the real property generally known as 703, 721, 727 and 739 Sullivan Road, College Park, Georgia 30349 for public use in connection with the proposed Fifth Runway Project at the William B. Hartsfield Atlanta International Airport, with the costs thereof to be charged to and paid from Fund, Account and Center No. 2H26 571001 R21E052096AA; and for other purposes.

02O2105(23) An Ordinance by Councilmember Cleta Winslow authorizing the creation of an Enterprise Revenue Fund and Renewal and Extension Fund for Civic Center Operations effective January 1, 2002; and for other purposes.

02O1396(24) A Substitute 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 the construction of the Spring Street Viaduct and the implementation of Phase II Trails at the Olmstead Linear Park; and for other purposes.

02O1792(25) An Ordinance by Councilmembers Felicia A. Moore, Ceasar C. Mitchell and H. Lamar Willis as amended by the Finance/Executive Committee to amend the City Code, Chapter 114 (Personnel), Article 2 (Compensation, Payroll Deductions and Charitable Contributions) Division 1(Generally), Section 114-28 (Deduction of Labor Organization Dues from salaries), Subsection C, Numbered Subpart 4: to add certain additional departments to the list of City Departments whose employees are eligible to have recognized labor organization representation and payroll dues deduction as set out in subparts 1-4 of Subsection C; and for other purposes.

TRANSPORTATION COMMITTEE - H. LAMAR WILLIS, CHAIR

02O1914(26) An Ordinance by Transportation Committee authorizing the Mayor or her designee to make segments of the following streets within the City of Atlanta No Parking Anytime: Candler Park Drive, NE, Connally Street, SE, Cypress Street, NE, Haynes Street, SW, Lakeside Terrace, NE, Margaret Mitchell Drive, NW, Murray Street, SE, Pritchard Way, NE, Rickenbacker Way, NE and Sixth Street, NE.

02O1915(27) 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 7:15 a.m. - 8:15 a.m. and 2:15 p.m. - 3:15 p.m.: Candler Park Drive, NE.

02O1916(28) 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 7:00 a. m. - 9:00 a.m. and 2:00 p.m. - 4:00 p.m., Monday through Friday: Peachtree Way, NE.

02O1917(29) An Ordinance by Transportation Committee authorizing the Mayor or her designee to install No Left Turn 7:15 a.m. - 8:15 a. m. and 2:15 p.m. - 3:15 p.m. signs on Candler Park Drive, NE at the Mary Lin Elementary School Driveway.

02O1918(30) An Ordinance by Transportation Committee authorizing the Mayor or her designee to make the intersection of Cameron Street, SE and Rosalia Street an All-Way Stop.

02O1919(31) An Ordinance by Transportation Committee authorizing the Mayor or her designee to install Stop Signs the following intersection: Belvedere Drive, NW and McKinley Road.

02O1920(32) An Ordinance by Transportation Committee authorizing the Mayor or her designee to install Stop Signs at the following intersection: Childs Drive, NW and Andrews Street.

02O1921(33) An Ordinance by Transportation Committee authorizing the Mayor or her designee to install Stop

Signs at the following intersection: Margaret Mitchell Drive, NW, Greendale Drive and Howell Mill Road.

02O2001(34) 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 7:00 a.m. - 9:00 a.m. and 4:00 p.m. - 6:00 p.m., 2 Hours Parking 9:00 a.m. - 4:00 p.m., Monday - Friday: Piedmont Avenue, NE.

02O2097(35) An Ordinance by Councilmembers Mary Norwood and H. Lamar Willis to anticipate and appropriate Grant Funds in the amount of \$10,178,300.00 from the Federal Aviation Administration and transfer to and from appropriations in the amount of \$3,392,767.00 for the City's share in Grant Agreement 3-13-0008-53, Letter of Intent (LOI) Payment #3 for the construction of the Commuter Runway and Associated Taxiways; and for other purposes.

02O2098(36) An Ordinance by Councilmembers Mary Norwood and H. Lamar Willis to anticipate and appropriate Grant Funds in the amount of \$3,779,291.00 from the Federal Aviation Administration and transfer to and from appropriations in the amount of \$1,211,831.00 for the City's share in Grant Agreement 3-13-0008-55, Security Enhancements and Fingerprint Machines; and for other purposes.

02O2099(37) An Ordinance by Councilmembers Mary Norwood and H. Lamar Willis to anticipate and appropriate Grant Funds in the amount of \$2,500,000.00 from the Federal Aviation Administration in Grant Agreement 3-13-0008-56, Security Enhancements, Phase I; and for other purposes.

02O2100(38) An Ordinance by Councilmembers Mary Norwood and H. Lamar Willis to anticipate and appropriate Grant Funds in the amount of \$8,134,431.00 from the Federal Aviation Administration and transfer to and from appropriations in the amount of \$2,711,477.00 for the City's share in Grant Agreement 3-13-0008-54, for the construction of the 5th Runway (Bridge Structures) and installation of Runway Vertical Guidance System, Runways 8L, 8R, 9L, 9R, 27L, 27R; and for other purposes.

RESOLUTIONS

CITY UTILITIES COMMITTEE - CLAIR MULLER, CHAIR

02R1593(1) A Resolution by Councilmember Clair Muller as substituted by City Utilities Committee 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.

02R1848(2) A Resolution by City Utilities Committee authorizing the Mayor 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 Design and Architectural Services for Phase V (Document Control Area) Construction Documents Preparation for the build out of office space at City Hall East on behalf of the Department of Public Works in an amount not to exceed \$53,780.10; all contracted work shall be charged to and paid from Fund, Account and Center Number: 2J26 573001 M24A01069999.

02R1849(3) A Resolution by City Utilities Committee authorizing the Mayor to enter into Change Order Number 2 for FC-7308-01 Veterans Hospital Trunk Sewer with Rockdale Pipeline, Inc. in an amount not to exceed \$510,989.11; all contracted work shall be charged to and paid from the following Fund, Account and Center Number: 2J26 574001 M24I02329999.

02R1850(4) A Resolution by City Utilities Committee authorizing the Mayor to enter into Change Order Number 2 for FC-7088-99 North Fork Peachtree Creek Relief Sewer Improvements, Segments 1 and 2, with W. L. Hailey & Company, Inc./CJB Contracting, Inc., a Joint Venture in an amount not to exceed \$141,231.49; on behalf of the Department of Public Works. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2J26 573001 M24I02079999.

02R1985(5) A Resolution by City Utilities Committee authorizing the Mayor to execute an Encroachment Agreement on behalf of the City of Atlanta with Metropolitan Atlanta Rapid Transit Authority providing for the encroachment of a canopy over portion of the public sidewalk at the Lindbergh Center Station; and for other purposes.

02R2003(6) 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 \$253,410.70 for additional engineering construction and contract administration services; all contracted work shall be charged to and paid from Fund, Account and Center Number: 1C28 524001 M22F012992BA.

02R2004(7) A Resolution by City Utilities Committee authorizing the Mayor or designee to approve a Notice to Proceed with CH2M Hill, Inc./TOC, Inc., - JV for FC-6710-96A, Annual Contract for Architectural and Engineering Services to provide engineering services for Grit Removal System Assessments at Intrenchment Creek CSO on behalf of the Department of Watershed Management in an amount not to exceed \$70,735.00; all contracted work shall be charged to and paid from Fund, Account and Center Number: 2J21 524001 M57201.

02R2009(8) A Resolution by City Utilities Committee authorizing the City of Atlanta to execute Water Main Easement in favor of Fulton County, Georgia, in its own name and as a joint venturer in the Atlanta-Fulton County Water Resources Commission, granting to Fulton County Water Main Easements concerning that certain project known as the Autry Mill Water Main Project, as more particularly depicted on Exhibits 1 and 2 attached to this Resolution; and for other purposes.

02R2010(9) A Resolution by City Utilities Committee approving adjustments on Water-Sewer Accounts.

Underground Leaks: Rachel Walk Apt., 924 Hightower Rd., NW; 2001 Partners, Inc., 2001 M. L. K., Jr. Drive, NW; Helen Young, 156 Sunset Ave., NW; Cleveland East Apt., 108 Cleveland Ave.

02R2011(10) A Resolution by City Utilities Committee approving adjustments on Water-Sewer Accounts.

Underground Leaks: Days Inn NW, 1701 Northside Drive, NW; Lenox Woods, Pro., 2255 Lenox Rd., NE; Maria Dziejewski, 653 Lindbergh Dr., NE

02R2012(11) A Resolution by City Utilities Committee approving adjustments on Water-Sewer Accounts.

Underground Leaks: Camolet Club Con., 2600 Jerome Rd., SW; David A. Pohl, 180 Milton Street, SW, Jane H. Young, 3537 Tuxedo Rd., NW

02R2013(12) A Resolution by City Utilities Committee approving adjustments on Water-Sewer Accounts.

Meter Leaks: Rachel Walk Apt., 981 James Jackson; Rachel Walk Apt., 924 Hightower Rd., NW; Charlie Williams, 2999 Landrum Dr., SW

02R2014(13) A Resolution by City Utilities Committee approving adjustments on Water-Sewer Accounts.

Underground Leaks: Brent Creek Vent, 2035 Bent Creek Way, SW; Peachtree Dunwoody, 6111 Peachtree Dunwoody, NE; Atlanta Board of Education, 575 Kelly Street, SE

02R2057(14) A Resolution by City Utilities Committee authorizing the Mayor or designee to enter into an appropriate contractual agreement with Accura Analytical Laboratory, Inc. for FC-7441-02, Trace Organics Laboratory Services on behalf of the Department of Watershed Management in an amount no to exceed \$100,210.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2J01 524001 M57201.

02R2058(15) An Amended Resolution by City Utilities Committee authorizing the Mayor or designee to enter

into Amendment Agreement No. 5 with Metcalf & Eddy, Inc., for FC-6433-95, Design Services for Summerhill/Peplestown, Mechanicsville and Intrenchment Creek, Stage 1 and Stage 2 to complete Stormwater System Inventory for the Sandy Creek Drainage Basin in an amount not to exceed \$31,714.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 1A01 524001 M12001.

02R2073(16) A Resolution by City Utilities Committee authorizing the Mayor to execute an Amendment to the River/Lake Management Services Agreement authorized by Resolution 01-R-0576; and for other purposes.

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE - CLETA WINSLOW, CHAIR

02R2015(17) A Resolution by Community Development/Human Resources Committee authorizing the Mayor or her designee to approve a Notice to Proceed with HDR/W. L. Jordan, Inc. for FC-6980-97, Annual Contract for Surveying & Mapping Service on behalf of the Department of Parks, Recreation and Cultural Affairs in an amount not to exceed \$75,000.00, all contracted work shall be charged to and paid from Fund, Account and Center Number: 1B01 573001 N12D1610A52A.

02R2059(18) A Substitute Resolution by Community Development/ Human Resources Committee authorizing the Mayor or her designee to approve a Notice to Proceed with CH2M Hill, Inc./TOC, Inc., - JV for FC-6710-96A, Annual Contract for Architectural and Engineering Services to provide design and construction services of restroom facilities at the Boisfeuillet Jones Atlanta Civic Center on behalf of the Department of Parks, Recreation and Cultural Affairs in an amount not to exceed \$354,500.00, all contracted work shall be charged to and paid from Fund, Account and Center Numbers: 1C44 573001 N12D099992AD (\$315.00.00) and 1C22 573001 N12D09B69999 (\$39,500.00).

02R2094(20) A Resolution by Councilmember Felicia A. Moore to create the Northwest Atlanta Redevelopment Area and Tax Allocation District Number Three - Perry/Bolton; to designate the boundaries of the redevelopment area; to establish the Tax Increment Base and adopt a Redevelopment Plan for the area; to create a Tax Allocation District within the redevelopment area and to define the boundaries thereof; to establish the intent to issue and sell Tax Allocation Bonds and such Redevelopment Bonds necessary to effectuate the redevelopment of the area; to authorize the Atlanta Development Authority to act as the redevelopment agent to implement provisions of the Redevelopment Plan pursuant to the State Redevelopment Powers Law; and for other purposes.

02R1216(21) A Substitute Resolution as amended by Community Development/Human Resources Committee authorizing the Mayor to enter into a Loan Funding Agreement with Columbia at Peplestown, L.P. (Columbia) in an amount not to exceed \$521,900.00 for the construction of Columbia at Peplestown, 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 Peplestown, L.P.; and for other purposes. (Held 7/9/02)

02R2119(22) A Resolution by Community Development/Human Resources Committee authorizing the Chief Procurement Officer of the City of Atlanta to purchase property from Sheltering Arms located at 177 Estoria Street, SE, for a negotiated purchased of \$281,300.00; and for other purposes.

02R2123(23) An Amended Resolution by Community Development/Human Resources Committee authorizing the Mayor or her designee to enter into contracts with the Community Alliance of Metropolitan Parkway (CAMP) English Avenue Community Development Corporation and Tyler Place Community Development Corporation, for operating expenses to partially implement the 2002 CHDO Operating Grant Program; and for other purposes.

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

02R2055(24) A Resolution by Public Safety and Legal Administration Committee authorizing payment in the amount of \$5,741.20 in settlement of the claim of Sidney Welch against the City of Atlanta.

02R2063(25) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to renew a Lease Agreement with Mr. Toma Valenti, for the rental of 400 square feet of office space located at 426 Seminole Avenue (Little Five Points), Atlanta, Georgia, for a Police Zone Six Mini Precinct, from January 1, 2003, until December 31, 2003 in the amount not to exceed \$1 a year, to be charged and paid from Account Number 1A01 525001 X42006.

02R2104(26) A Resolution by Councilmember Ceasar C. Mitchell to express the City Council's support of the adoption of the Atlanta Police Department of a policy that limits when high speed pursuits may be conducted; to encourage the development of a non-chase pursuit policy; and for other purposes.

02R2112(27) A Resolution by Public Safety and Legal Administration Committee authorizing the settlement of Fleet Business Credit, LLC F/K/A Sanwa Leasing Corporation v. City of Atlanta filed in the District Court for the 52-4 Judicial District, Case Number 025-4 Judicial District Case Number 02-C00813-GC-01; State of Michigan, in the amount of \$7,500.00; authorizing the Chief Financial Officer to disburse the settlement amount from Fund, Account and Center No. 1A01 5250021 M23201; and for other purposes.

02-R-2113 (28) A Resolution by Public Safety and Legal Administration Committee authorizing an offer of judgment on all claims of Liz Summers against the City of Atlanta and Winston Minor, in the case of Liz Summers v. City of Atlanta and Winston Minor, Civil Action Number 1:01-CV-0522-GGB, filed in the United States District Court; to allow judgment to be taken against the defendants by Liz Summers for a Section Chief Position, her back pay, and pension in an amount not to exceed \$8,000.00; and for other purposes.

02R2114(29) A Resolution by Public Safety and Legal Administration Committee authorizing the City Attorney to execute a Retainer Agreement with the law firms of Kilpatrick Stockton, LLC and Johnson & Freeman, LLC to serve as Outside Counsel to the City of Atlanta in connection with Contract Matters, Construction Management Issues, Infrastructure, Telecommunications and Environmental Issues arising from Hartsfield Atlanta International Airport and the Department of Aviation; to authorize the engagement of Outside Counsel to represent the City of Atlanta in the matter of 5R Constructors, LLC v. City of Atlanta, et al., CAFN 1:02C-311 United States District Court for the Northern District of Georgia; to authorize expenditures for that purpose in an amount not to exceed \$400,000.00; and for other purposes.

02-R-2115 (30) A Resolution by Public Safety and Legal Administration Committee authorizing the City of Atlanta to enter into Accreditation/Recognition Agreement in order to participate in the Accreditation Program for the Law Enforcement Agencies.

02R2116(31) An Amended Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to enter into a Lease Agreement with ASI Properties, Inc., for the rental of 5,026 square feet of office space located at 5026 Maple Drive, Atlanta, Georgia, for the Police Zone Two Precinct, from January 1, 2003, until December 31, 2003, in the amount not to exceed \$71,120.50 a year, to be charged and paid from Account Number 1A01 525001 X42002.

02R2117(32) A Resolution by Public Safety and Legal Administration Committee authorizing settlement of all claims of Ernest Davis in the case of Ernest Davis vs. Officer M. L. Centola, et al., Civil Action Number 1:02C-253-HTW in the United States District Court for the Northern District of Georgia; to cause payment to be made in the amount of \$85,000.00; and for other purposes.

02-R-2118 (33) A Resolution by Public Safety and Legal Administration Committee authorizing the Chief Financial Officer to pay all outstanding invoices to the firm of Holland & Knight, LLP for services rendered and costs incurred as a result of representation to the City of Atlanta as outside counsel in connection with Federal Investigatory Matters: to authorize payment of \$141,492.05 in attorneys fees and \$43,232.60 in costs in an amount not to exceed \$184,725.00; and for other purposes.

02R2125(34) A Resolution by Public Safety and Legal Administration Committee authorizing the settlement of the claim of Corliss S. Sims in the amount of \$8,180.00 against the City of Atlanta.

02R2126(35) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to execute an appropriate contractual agreement for FC-7419-02, P.C. d/b/a/ Drs. Williams and Woods in an amount not to exceed \$156,000.00 annually to provide physician services for Pretrial, Federal and Sentenced Inmates; all contracted work shall be charged to and paid from Fund, Account and Center Number: 1A01 524001 I21004.

FINANCE/EXECUTIVE COMMITTEE - FELICIA A. MOORE, CHAIR

02R2016(36) A Resolution by Finance/Executive Committee authorizing refunds for the overpayment of Business License Fees to Alliance Metals, Inc. #0913116LGB, in the amount of \$15,353.52; and for other purposes.

02R2017(37) A Resolution by Finance/Executive Committee authorizing refunds for the overpayment of Business License Fees to Save Rite Grocery Store #2712, Account #007854LGB, in the amount of \$12,016.19; and for other purposes.

02R2018(38) A Resolution by Finance/Executive Committee authorizing refunds for the overpayment of Business License Fees to Save Rite Grocery Store #2726, Account #004918LGB, in the amount of \$16,264.25; and for other purposes.

02R2019(39) An Amended Resolution by Finance/Executive Committee authorizing the Mayor to enter into an Appropriate Contractual Agreement with J. L. Telecommunications for the purchase and installation of necessary equipment and services to expand the existing telephone system to provide voice communications to the newly constructed technical support campus on behalf of the Department of Aviation, in an amount not to exceed \$281,479.23. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2H21 573001 R21001.

02R2022(40) A Substitute Resolution by Finance/Executive Committee authorizing the Mayor to enter into an Appropriate Contractual Agreement with Kiva, Incorporated, for the purchase of software updates and continued support of the existing system on behalf of the Department of Planning, Development and Neighborhood Conservation, in an amount not to exceed \$108,102.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 1A01 523001 Y21001.

02R2060(41) A Resolution by Finance/Executive Committee authorizing the Purchasing Agent to utilize the Federal GSA Contract GS-35F-0147L with System Plus, Inc., for the purchase of Management Dashboard Software on behalf of the Office of the Mayor in an amount not to exceed \$30,114.00.

02R2061(42) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into an Appropriate Contractual Agreement with Aviation Lighting Sales, Inc., for the replacement of all Existing Runway and Taxiway Guidance Signs Legend Panels on behalf of the Department of Aviation, in an amount not to exceed \$1,150,000.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2H01 574001 R42001.

02R2062(43) A Resolution by Finance/Executive Committee authorizing the Mayor to accept the name change of Roy F. Weston, Inc. to Weston Solutions, Inc., registered to do business in the State of Georgia to be referred herein thereafter for FC 7345-01 Contract C. Sanitary Sewer Evaluation Survey.

02R2069(44) A Substitute Resolution by Finance/Executive Committee authorizing the Purchasing Agent to utilize the State of Georgia Contract 92-00151 with Dell Marketing L.P., for the purchase of 60 Dell Computers on behalf of the Department of Aviation in an amount not to exceed \$106,180.00; All contracted work shall be charged to and paid from Fund, Account and Center Numbers: 2H21 575001 R12006 \$61,660.00; 2H21 575001 R21E01219999, \$44,520.00.

02R2072(45) A Resolution by Finance/Executive Committee authorizing the Mayor or her designee to enter into an Intergovernmental Agreement with the University of Georgia in an amount not to exceed \$40,000.00, to

conduct a Citizen Satisfaction Survey. All contracted work shall be charged to and paid from Fund, Account and Center Number 3P02 524001 D11T0608QNA0.

02R2074(46) A Resolution by Finance/Executive Committee authorizing the Mayor or her designee to enter into an appropriate Contractual Agreement with Shaheed's Construction, Inc. for FC-7479-02, Annual Contract for Raising Manhole Covers for Department of Water on behalf of the Department of Watershed Management in an amount not to exceed \$700,000.00. Said contract shall be based on unit prices. All contracted work shall be charged to and paid from Fund, Account and Center Numbers 2J26 574001 Q27J08039999 (\$500,000.00) and 2J26 574001 Q24J09059999 (\$200,000.00)

02R2122(47) A Resolution by Finance/Executive Committee authorizing the Mayor to execute a Contract with Arthur E. Ferdinand, Fulton County Tax Commissioner for the billing and collection of property taxes for the City of Atlanta; and for other purposes.

TRANSPORTATION COMMITTEE - H. LAMAR WILLIS, CHAIR

02R2023(48) A Resolution by Transportation Committee authorizing the Mayor to execute an Amendment No. 10 to CPTC Lease with ASA which shall delete 60 square feet of boarding level space on the north end of Concourse C, in the Central Passenger Terminal Complex at Hartsfield Atlanta International Airport; and for other purposes.

02R2064(49) A Resolution by Transportation Committee authorizing the Mayor or her designee to execute a Lease Agreement with the Federal Aviation Administration (FAA), covering warehouse space to support control tower cab design for the Atlanta Air Traffic Control Tower (ATCT) at Hartsfield Atlanta International Airport.

02R2065(50) A Resolution by Transportation Committee authorizing a First Amendment to the August 16, 2001 Reimbursable Agreement between the City of Atlanta and Georgia Power Company, for services related to the provision of electrical power to Hartsfield Atlanta International Airport, so as to extend the term of the Agreement through and including April 1, 2003 and to specify that the services to be provided by Georgia Power shall include the installation of five (5) power isolation switches; and for other purposes.

02R2066(51) An Amended Resolution by Transportation Committee authorizing the Mayor or her designee to execute a Lease Agreement with the Perishables Group International JV, LLC (PGI) to provide for the occupancy and operation of the Hartsfield Atlanta Perishables Complex at the Hartsfield Atlanta International Airport; and for other purposes.

TRANSPORTATION COMMITTEE - H. LAMAR WILLIS, CHAIR

02R2070(52) A Resolution by Transportation Committee authorizing the Mayor or her designee to execute an Agreement with the Hartsfield Area Transportation Management Association (HATMA) for accomplishment by HATMA of investigation and administration of Transportation Demand Management Strategies, for a cost to the City not to exceed \$85,000.00; to be charged to and paid from Fund, Account and Center No.: 2H21 524001 R21001.

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

Claims with Favorable Recommendations:

02R2028(1) Claim of Georgia Farm Bureau Mutual Insurance Company as subrogee of Paul McGinity, for damages alleged to have been sustained as a result of an automobile accident on March 26, 2002 at Riverdale and Fayetteville Roads. \$1,814.42

02R2029(2) Claim of Mary K. Barfield, for damages alleged to have been sustained as a result of a vehicular accident on August 14, 2002 at 1968 Piedmont Road, NW. \$1,566.46

02R2030(3) Claim of Susan J. Makinda, for damages alleged to have been sustained as a result of a vehicular accident on August 5, 2002 at R. D. Abernathy Boulevard, SW and Central Avenue, SW. \$2,000.00

02R2031(4) Claim of GEICO as subrogee of Stephine Swann, for damages alleged to have been sustained as a result of a vehicle accident on April 1, 2002 at 1920 Monroe Drive, NE. \$2,000.00

02R2032(5) Claim of Portia G. Lamar, for damages alleged to have been sustained as a result of an automobile accident on December 14, 2000 at 745 Morosgo and Adina Drives, NE. \$2,000.00

02R2033(6) Claim of Linda C. Archie, for damages alleged to have been sustained as a result of an automobile accident on November 5, 2002 at 2440 Bolton Road. \$2,000.00

02R2034(7) Claim of Linda J. Williams, for damages alleged to have been sustained as a result of an automobile accident on August 1, 2000 at 2555 Moreland Avenue. \$2,000.00

02R2035(8) Claim of Bernice E. Penn, for damages alleged to have been sustained from stepping into an open and exposed area that surrounds a City tree on August 24, 2001 at Broad and Alabama Streets. \$1,200.00

02R2036(9) Claim of St. Paul Guardian Insurance Co., as subrogee of Colorado Medtech Inc., for damages alleged to have been sustained as a result of an automobile accident on March 18, 2002 at Northside Drive and Fair Street. \$2,000.00

02R2037(10) Claim of Liberty Mutual Fire Insurance Co., as subrogee of Amos Ajo, for damages alleged to have been sustained as a result of an automobile accident on May 17, 2002 at 745 McDonough Boulevard, SE and Milton Avenue, SE. \$2,000.00

02R2027(11) Claim of Georgia Coach Limo, c/o Barbar K. Glover, for damages alleged to have been sustained as a result of an explosion that caused a manhole cover to pop up and strike the undercarriage of a vehicle on October 19, 2000 at 490 Marietta Street, NW.

02R2038(12) Claim of Eugene Litvinov, for damages alleged to have been sustained from a construction cut that was left open and in an unsafe condition on January 6, 2002 at 866 West Peachtree Street, NE.

02R2039(13) Claim of Catherine Lawson, for damages alleged to have been sustained as a result of vehicular damage due to driving over a pothole on October 9, 2002 on Highway 166.

02R2040(14) Claim of Bishop L. Dante Smith, for damages alleged to have been sustained as a result of vehicular damage due to driving over a pothole on September 15, 2002 on Donald Lee Hollowell Parkway.

02R2041(15) Claim of State Farm Insurance Companies as subrogee of Colleen M. Price, for damages alleged to have been sustained as the result of a sewer backup on July 28, 2000 at 3010 Rhodenhaven Drive.

Claims with Unfavorable Recommendations:

02R2042(16) Claim of Gordon Marsh, through his attorney, Bruce F. Morris, for damages alleged to have been sustained as a result of an arrest on February 20, 2002 at 6000 North Terminal Parkway.

02R2043(17) Claim of Sandra Johnson, a minor, through her attorney, Neil J. Koptsy, for damages alleged to have been sustained as a result of a vehicular accident on March 11, 2002 at 3580 Campbellton Road, SW.

02R2044(18) Claim of Kay Masri, for damages alleged to have been sustained as a result of personal injuries due to a fall on an open construction cut on September 12, 2002 at 885 Virginia Avenue, NE.

02R2045(19) Claim of Lora Reed, for damages alleged to have been sustained as a result of injuries sustained to her dog when it was shot by police on December 6, 2001 at 781 Simpson Road, NW.

02R2046(20) Claim of **Craig Johnson, through his attorney, Neil J. Koptsky**, for damages alleged to have been sustained as a result of a vehicular accident on March 11, 2002 at 3580 Campbellton Road, SW.

02R2047(21) Claim of **Cicily Johnson, through her attorney, Neil J. Koptsky**, for damages alleged to have been sustained as a result of a vehicular accident on March 11, 2002 at 3580 Campbellton Road, SW.

02R2048(22) Claim of **Sendhil K. Subramanian**, for damages alleged to have been sustained as a result of a construction cut that was left open and in an unsafe condition on January 16, 2002 at 866 West Peachtree Street, NE.

02R2049(23) Claim of **Atlanta Transfer Station, LLC, through its attorney, David Kirk, Esq., Troutman Sanders LLP**, for damages alleged to have been sustained from the revocation of a building permit on August 16, 2002 at 1111 Ridge Avenue, SW.

Claims with Unfavorable Recommendations:

02R2050(24) Claim of **Amy Weissenberg**, for damages alleged to have been sustained from an automobile accident on July 24, 2002 at 1045 Peachtree Road, NE and Roswell Road, NE.

02R2051(25) Claim of **Margaret Lee Burgess**, for damages alleged to have been sustained from a construction cut that was left open and in an unsafe condition on August 14, 2002 at 2290 Bohler Road.

02R2052(26) Claim of **Joseph M. Holmes**, for damages alleged to have been sustained from a construction cut that was left open and in an unsafe condition on August 16, 1999 at 1450 Ponce de Leon.

02R2053(27) Claim of **Sherri Young**, for damages alleged to have been sustained as a result of a false arrest and sexual battery incident by Atlanta Police on July 26, 2001 at 1810 Howell Mill Road, NE.

02R2054(28) Claim of **Pamela C. Baker**, for damages alleged to have been sustained as a result of a construction cut that was left open and in an unsafe condition on January 9, 2002 at 866 W. Peachtree Street, NE.

CONSENT AGENDA SECTION II

ORDINANCES FOR FIRST READING

CITY UTILITIES COMMITTEE - CLAIR MULLER, CHAIR

02O2008(1) An Ordinance by City Utilities Committee authorizing the Mayor to enter into an agreement with the Metropolitan North Georgia Water Planning District and to make payments on a per capita basis to fund the activities of the District.

TO BE REFERRED TO CITY UTILITIES COMMITTEE

02O2071(2) An Ordinance by City Utilities Committee amending the 2001 (Water and Sewer Bond Construction Fund) Budget in the amount of \$1,262,000.00 for Professional Services for Greenway Acquisition costs related to the Supplemental Environmental Program under the Combined Sewer Overflow Consent Decree; and for other purposes.

TO BE REFERRED TO CITY UTILITIES COMMITTEE

TRANSPORTATION COMMITTEE - H. LAMAR WILLIS, CHAIR

02O2024(3) An Ordinance by Transportation Committee amending the 2002 (Airport Renewal and Extension Fund) and the (2000 Airport Revenue Bond Fund) Budgets by transferring to and from appropriations the

amount of \$1,788,175.00 to provide adequate and proper funding for the Automated Guideway Transit (AGT) Tube Smoke Removal System Modifications' Project (FC-7501-02) at the Hartsfield Atlanta International Airport.

TO BE REFERRED TO TRANSPORTATION COMMITTEE

COMMITTEE ON COUNCIL ANNE FAUVER, CHAIR COMMUNICATIONS

02C2077(1) A Communication by Mayor Shirley Franklin appointing Ms. Cynthia Mitchell to serve as a member of the Tree Conservation Commission of the City of Atlanta in the Real Estate Professional position. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation. (Favorable by Community Development/Human Resources Committee 11/26/02)

02C2078(2) A Communication by Mayor Shirley Franklin appointing Mr. David Swann to serve as a member of the Tree Conservation Commission of the City of Atlanta in the Environmental Organization Member position. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation. (Favorable by Community Development/Human Resources Committee 11/26/02)

02C2079(3) A Communication by Mayor Shirley Franklin appointing Mr. John Eaves to serve as a member of the Sister Cities Commission of the City of Atlanta. This appointment is for a term of three (3) years, scheduled to begin on the date of Council confirmation. (Favorable by Community Development/Human Resources Committee 11/26/02)

02C2083(4) A Communication by Mayor Shirley Franklin appointing Ms. Sharon Adams to serve as a member of the Atlanta Fulton County Recreation Authority of the City of Atlanta. This appointment is for a term of four (4) years, scheduled to begin on the date of Council confirmation. (Favorable by Community Development/Human Resources Committee 11/26/02)

02C2084(5) A Communication by Mayor Shirley Franklin appointing Mr. James A. Cheeks to serve as a member of the Atlanta Fulton County Recreation Authority of the City of Atlanta. This appointment is for a term of four (4) years, scheduled to begin on the date of Council confirmation. (Favorable by Community Development/Human Resources Committee 11/26/02)

02C2080(6) A Communication by Mayor Shirley Franklin appointing Ms. Mirtha Estrada to serve as a member of the Procurement Appeals Hearing Officer Board of the City of Atlanta. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation. (Favorable by Finance/Executive Committee 11/25/02)

COMMITTEE ON COUNCIL (2) ANNE FAUVER, CHAIR

COMMUNICATIONS (CONT'D)

02C2085(7) A Communication by Mayor Shirley Franklin appointing Mr. Lyndon Wade to serve as a member of the License Review Board of the City of Atlanta. This appointment 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 11/26/02)

02C2086(8) A Communication by Mayor Shirley Franklin appointing Mr. Aaron Watson to serve as a member of the License Review Board of the City of Atlanta. This appointment 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 11/26/02)

MEMBERS PRESENT:

CITY UTILITIES COMMITTEE CLAIR MULLER, CHAIR

ORDINANCE FOR SECOND READING

02O0087(1) A Substitute Ordinance as amended by City Utilities Committee amending Article II, Division 3, Section 130 of the City of Atlanta's Code of Ordinances so as to increase the yearly Garbage Collection Fee to \$307.19; and for other purposes. (Public Hearing held 11/26/02)

FORWARDED WITH NO RECOMMENDATION ON SUBSTITUTE AS AMENDED (3 YEA'S) (2 ABSTENTION'S)

02O1977(2) An Ordinance by Councilmember Jim Maddox authorizing the Mayor to execute a Franchise Agreement with BellSouth Telecommunications, Inc. a Georgia Corporation, providing telecommunications services using public right-of-way; specifying the compensation due the City of Atlanta by the Franchise Agreement and waiving certain provisions of the R-O-W Agreement for this instance only; and for other purposes.

FAVORABLE - 3RD READING, FINAL ADOPTION

RESOLUTION

02R1997(1) 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 \$103,500.00 pursuant to the First Amended Consent Decree, Civil Action File No. 1:98-CV-1956-TWT; to identify the source of funding; and for other purposes. (Referred back from Council 11/18/02)

FAVORABLE ON CONDITION

PAPERS HELD IN COMMITTEE

02O0164(1) 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)

02O0867(2) 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(3) 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(4) 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(5) 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(6) A Resolution by City Utilities Committee authorizing the sale of abandoned Ralph McGill Boulevard, NE in Land Lot 15 of the 14th District, Fulton County, Georgia to Robert L. Kay, Jr. and Linda S. Kay, the abutting property owners. (Held 9/10/02)

02O1632(7) 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)

02O1872(8) An Ordinance by Councilmember Derrick Boazman authorizing the Mayor or her designee to pursue complete sewer separation of the City's stormwater and wastewater processing system as the remedial method of choice; and for other purposes. (Held 10/29/02)

02O1873(9) An Ordinance by Councilmember Derrick Boazman authorizing the Mayor or her designee to pursue complete sewer separation of the City's stormwater and wastewater processing system as the remedial method of choice in Council District 12; and for other purposes. (Held 10/29/02)

02O1880(10) An Ordinance by Councilmember Debi Starnes to abandon all or portion of the following streets in and around the Georgia Tech Campus - Lamber Street, Strong Street, Techway Drive, Gray Street, McAfee Street, Ponders Avenue, Plum Street and Peachtree Place. (Advertised for a Public Hearing 12/10/02 at 9:00 a.m.)

02O1897(11) An Ordinance by Councilmembers Clair Muller and Ceasar C. Mitchell as amended by City Utilities Committee amending Chapter 138, Division 5 "Vending Devices and Telephones" of the Code of Ordinances to update the requirements necessary to install/place vending boxes in the City's rights-of-way; and for other purposes. (Amended and Held 11/12/02)

02O1967(12) An Ordinance by Councilmember Clair Muller to amend Article II, Section 130 of the City of Atlanta Code of Ordinances to provide for increased penalties for illegal dumping or deposits upon private property; and for other purposes. (Held 11/12/02)

02O1968(13) An Ordinance by Councilmember Clair Muller to amend Article II, Section 130 of the City of Atlanta Code of Ordinances to provide for increased penalties for illegal dumping or deposits on streets, sidewalks or the public right-of-way; and for other purposes. (Held 11/12/02)

02R1970(14) A Resolution by Councilmember Clair Muller 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) 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. (Held 11/12/02)

02R2005(15) A Resolution by City Utilities Committee authorizing the Mayor or designee to enter into an appropriate contractual agreement with Nezat Training and Consulting, Inc. for Collection and Transmission Systems Training, Phase II as mandated by the First Amended Consent Decree on behalf of the Department of Public Works in an amount not to exceed \$255,850.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2J01 524001 M24201. (Held 11/26/02)

02R2007(16) A Resolution by City Utilities Committee authorizing the Mayor or designee to approve a Notice to Proceed with CH2M Hill, Inc./TOC, Inc., - JV for FC-6710-96A, Annual Contract for Architectural and Engineering Services to provide additional Construction Management Services for the Infrastructure Sewer Capital Projects on behalf of the Department of Public Works in an amount not to exceed \$2,428,460.00; all contracted work shall be charged to and paid from Fund, Account and Center Numbers: 1C33 524001 M24I014892BB (\$211,981.32); 1C37 524001 M24I014892BB (\$705,558.68) and 2J26 573001 M24I02239999 (\$1,510,920.00). (Held 11/26/02)

02O2087(17) An Ordinance by Councilmember Clair Muller to amend Article II, Section 130 of the City of Atlanta Code of Ordinances to provide for a more efficient, equitable and fiscally responsible means of providing Solid Waste Services; and for other purposes. (Held 11/26/02)

02O2090(18) An Ordinance by Councilmember Clair Muller to amend the City of Atlanta Code of Ordinances, Section 154-297 to recoup the cost to the City for Grease Management Program (Grease Trap Ordinance); and for other purposes. (Held 11/26/02) (Advertised for a Public Hearing 12/10/02 at 9:00 a.m.)

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

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE CLETA WINSLOW, CHAIR

ORDINANCES FOR SECOND READING

02O1553(1) 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) NPU-D Council District 9 **FILE**

02O1555(2) A Substitute Ordinance by Community Development/ Human Resources Committee to create the “Marietta Street 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) NPU-E Council District 3 **FAVORABLE ON SUBSTITUTE**

02O1953(3) An Ordinance by Community Development/Human Resources Committee authorizing the Mayor to direct the Department of Planning and Community Development (Bureau of Housing and Code Compliance) 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 September 26, 2002.

908 Bouldercrest Drive, SE 05

1991 Hollywood Road, NW 09

386 Inman Street, SW 04

2282 Oakview Road, NE 05

2180 Polar Rock Terrace, SW 12

FAVORABLE

02O2107(4) An Ordinance by Councilmember Clair Muller as amended by Community Development/Human Resources Committee to amend the operation contract for the Chastain Amphitheater to set a permanent maximum sound level that is allowed to escape from the amphitheater into the neighborhood; and for other purposes.

AMENDED (1 YEA) (4 ABSTENTIONS)

COMMUNITY DEVELOPMENT/ (2) CLETA WINSLOW - CHAIR

HUMAN RESOURCES COMMITTEE

RESOLUTIONS

02R1794(1) A Resolution by Councilmember Felicia A. Moore as substituted and amended by Community

Development/Human Resources Committee authorizing the City of Atlanta to create the Northwest Atlanta Redevelopment Area and Tax Allocation District Number Three - Northwest Atlanta; to designate the boundaries of the Redevelopment Area; to establish the Tax Increment Base and adopt a Redevelopment Plan for the area; to create a Tax Allocation District within the Redevelopment Area and to define the boundaries thereof; to establish the intent to issue and sell Tax Allocation Bonds and such Redevelopment Bonds necessary to effectuate the Redevelopment of the area; to authorize the _____ to act as the Redevelopment Agent to implement the provisions of the Redevelopment Plan pursuant to the State Redevelopment Powers Law; and for other purposes. (Public Hearings held 10/29/02 and 11/12/02)

FILE

02R2006(2) A Resolution by Community Development and Human Resources Committee authorizing the Mayor or her 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 additional architectural and engineering services for Washington Park Natatorium on behalf of the Department of Parks, Recreation and Cultural Affairs in an amount not to exceed \$52,000.00, all contracted work shall be charged to and paid from Fund, Account and Center Number 1C43 573001 N12D03259999.

FAVORABLE ON CONDITION

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)

02O1777(3) An Ordinance by Councilmembers Cleta Winslow and Natalyn Archibong repealing the Outdoor Festivals Ordinance of 2000 and enacting the Outdoor Festivals Ordinance of 2003; and for other purposes. (Held 10/15/02) (Three Work Sessions held on 10/22/02 11/6/02 and 11/19/02)

02O1890(4) An Ordinance by Councilmember Carla Smith to amend Section 110-89 of the Atlanta City Code of Ordinances so as to prohibit the parking on any vehicle on the grassy area of any public park; and for other purposes. (Held 10/29/02)

02R1895(5) A Resolution by Councilmember Clair Muller to amend the operation contract for the Chastain Amphitheater to set a permanent maximum sound level that is allowed to escape from the Amphitheater into the neighborhood; and for other purposes. (Held 10/29/02) (Two Work Sessions held on 11/6/02 and 11/19/02)

02O2101(6) An Ordinance by Councilmember Anne Fauver authorizing the Mayor to enter into a Parking Lot Lease Agreement (A Pilot Partnership) with the Piedmont Park Conservancy, Inc. Organization for the purpose of operating and managing the two (2) parking lots within Piedmont Park at the Park Drive and 12th Street locations on behalf of the Department of Parks, Recreation and Cultural Affairs, Bureau of Parks; establishing Parking Lot Fee Rates and Times; and for other purposes.

02O0520(7) 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(8) 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(9) 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)

02O1039(10) 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(11) 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)

02R1217(12) 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 01-R-0868 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/ (5) CLETA WINSLOW - CHAIR

HUMAN RESOURCES COMMITTEE

PAPERS HELD IN COMMITTEE (CONT'D)

02O1778(13) An Ordinance by Councilmembers Cleta Winslow and Howard Shook as substituted by Community Development/Human Resources Committee to amend Article II of Chapter 158 of the Code of Ordinances of the City of Atlanta, Georgia (1995), entitled "Tree Protection", so as to adjust the recompense requirements; and for other purposes. (Held 10/15/02) (Work Sessions held on 10/22/02 and 11/6/02 and 11/19/02)

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

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

ORDINANCE FOR SECOND READING

02O2102(1) An Ordinance and Charter Amendment by Councilmember Ceasar C. Mitchell adopted under and by virtue of the Authority of the Municipal Home Rule Act of 1965, O.C.G.A. 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 Article Three, Chapter Five, Section 3-505(a) so as to exempt retired personnel from the 520 business day limitation of temporary employment; to repeal conflicting ordinances; and for other purposes.

FAVORABLE - 2nd READING, 1st ADOPTION

RESOLUTION

02R2124(1) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to execute an appropriate contractual agreement for FC-5717-02, Food Services for the City of Atlanta Detention

Center (RFP), a Joint Procurement with Fulton County, with Trinity Services Group, Inc., a Division of Compass Group in an amount not to exceed \$1,577,968.00 to furnish all food, labor, materials and supplies necessary to provide food services to inmates on behalf of the Department of Corrections; all contracted work shall be charged to and paid from Fund, Account and Center Number: 1A01 524001 I21003.

FAVORABLE (3 YEA'S) (1 ABSTENTION)

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 beverages 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)

02R1351(3) 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)

02R1770(4) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to enter into Agreement FC-7096-99A, Wrecker Services for Vehicles over two (2) tons with Southern Towing Services, Inc., for Zones 3, 4, 6 and 7; all work for said contracts shall be paid to Fund, Account and Center Number: Towing 1A01 462316 B00001, Sales Overages: 1A01 469101 B00001. (Held 10/15/02)

02R1840(5) Claim of Mary Lou Harding, for damages alleged to have been sustained as a result of a vehicular accident on November 19, 2001 at Seaboard and Moreland Avenues. (Held 10/29/02)

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

FINANCE/EXECUTIVE COMMITTEE FELICIA A. MOORE, CHAIR

02RT-212 (1) 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 6-304(b) of the Charter of the City of Atlanta. FILE

ORDINANCES FOR SECOND READING

02O2093(1) An Ordinance by Councilmembers Jim Maddox and Clela Winslow as substituted and 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 abolish vacant positions (Part A), abolish filled positions (Part B), create, reclassify, transfer, salary and grade adjustment positions (Part C), adopt personnel policy amendments and new initiatives (Part D), in support of the 2003 Budget; and for other purposes.

FAVORABLE ON SUBSTITUTE AS AMENDED

(3 ABSTENTIONS)

02O2108(2) An Ordinance by Councilmember Debi Starnes to allow the transfer of funds within

Councilmember accounts and to waive Section 2-39(b), to allow this transfer. FILE

02O1472(3) 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.

FILE

02O1782(4) An Ordinance by Councilmember Mary Norwood as substituted by Finance/Executive Committee a Third Supplemental Bond Ordinance supplementing the restated and amended Master Bond Ordinances of the City of Atlanta adopted on March 20, 2000 as amended and supplemented by the First and Second Supplemental Bond Ordinances of the City of Atlanta adopted on March 30, 2000 and October 7, 2002, respectively, to provide for the issuance by the City of its Airport General Revenue Refunding Bonds, Series 2002A; Its Airport General Revenue Refunding Bonds Series 2002B, Its Airport General Revenue Refunding Bonds, Series

2002C; and Its Variable Rate Demand Airport General Revenue Refunding Bonds, Series 2003B, to refund certain prior Airport Revenue Bonds of the City, to provide funds for the purpose of refunding a portion of its outstanding Airport General Revenue Bonds Series 1994A, Series 1996, Series 1994B, and Series 2000A; 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 Series 2002 Bonds and Series 2003B 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; and for other purposes; and for other related purposes.

FORWARDED ON SUBSTITUTE WITHOUT RECOMMENDATION

02O1960(5) An Ordinance by Councilmember Felicia A. Moore providing for (1) the sale of \$8,000,000.00 City of Atlanta various purpose General Obligation Bonds, dated December 1, 2002; (2) The adoption of a form for the Bonds; (3) The Execution of the Bonds; (4) the Naming of a paying agent and a bond registrar; (5) the levy of a continuing Direct Annual Tax Without Limit as a rate or amount on all taxable property within the Corporate Limits of the City sufficient to pay the Principal Of Redemption Premium, if any, and Interest On The Bonds; (6) the execution and delivery of a Continuing Disclosure Certificate; and (7) for other purposes.

FORWARDED WITHOUT RECOMMENDATION (1 NAY)

02O1961(6) A Substitute Ordinance as amended by the Finance/Executive Committee adopting the 2003 Recommended Budget.

FORWARDED ON SUBSTITUTE AS AMENDED WITHOUT RECOMMENDATION - (2 YEAS) (2 NAYS)

(3 ABSTENTIONS)

RESOLUTIONS

02R2020(1) A Resolution by Finance/Executive Committee authorizing the Purchasing Agent to utilize the State of Georgia Contract 92-00151 with Dell Marketing L.P. for the purchase of 30 Dell Computers on behalf of the Department of Aviation in an amount not to exceed \$61,660.00. All contracted work shall be charged to and paid from Fund Account and Center Number 2H21 575001 R12006. FILE

02R2021(2) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into a Renewal Agreement No. 2 with Hartford Life Insurance Company for FC-7278-00 for Group Life Insurance for 2003; and for other purposes. FORWARDED WITHOUT RECOMMENDATION

02R2075(3) A Resolution as amended by Finance/Executive Committee authorizing the Mayor or her designee to enter into Amendment Agreement No. 6 and to issue a Notice To Proceed with ADS Environmental Services, Inc., for FC-6244-95A, Annual Contract for Inspection and Flow Measurement of combined sewers and sanitary sewers to conduct a Condition Assessment of the Sanitary Sewer System at Hartsfield Atlanta International Airport (HAIA) on behalf of the Department of Aviation in an amount not to exceed \$1,163,069.59 and to authorized user agency of the annual contract; All contracted work shall be charged to and paid from Fund, Account and Center Number: 2H21 574001 R21E05079999. **FAVORABLE AS AMENDED ON CONDITION**

02R2076(4) A Resolution by Finance/Executive Committee to amend Resolution 01-R-1174, authorizing the Mayor to enter into a lease agreement with the City of Atlanta Fulton County Recreation Authority for lease of three (3) Parcels for the Development of a Family Entertainment Center Project at 768 Hank Aaron Drive, to include a Fourth Parcel Code Number that was inadvertently omitted, to repeal conflicting resolutions; and for other purposes.

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)

02O0679(2) 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 other purposes. (No Recommendation by City Utilities 4/9/02) (Referred to Finance/Executive Committee 5/6/02) (Held 5/15/02) (Referred from Council 10/21/02) (Held 10/30/02)

02R1137(3) 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) (Held, 10/16/02 sent to NPU'S) (Forwarded from Council to Finance/Executive Committee 10/21/02) (Held 10/30/02)

02R1394(4) 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)

02R1488(5) 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, Blair 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)

02R1579(6) A Resolution by Councilmember Jim Maddox as substituted by Finance/Executive Committee requesting that the Georgia State Legislature, at its 2003 Legislative Session, amend Section 16-121-20 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, Referred to NPU'S) (Forward with No Recommendation by Finance/Executive Committee, 10/16/02) (Forwarded to

Finance/Executive Committee 10/21/02) (Held 10/30/02)

02R1628(7) A Resolution by Councilmembers C T. Martin and Clela 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)

02O1853(8) An Amended Ordinance by Finance/Executive Committee amending Chapter 110, Parks and Recreation of the Code of Ordinances, Article I, Section 110.3(A)(2), Fee Schedule specifically to reflect newly revised, increased fee schedules for the Department of Parks, Recreation and Cultural Affairs, Bureau of Cultural Affairs by increasing fees and creating new fees for the Chastain Arts and Crafts Gallery; by creating a Subsection 110.3(A)(2A) for the purpose of creating fees for the Southeast Arts Center; all revenues derived from these fees shall be deposited into the Consolidated Arts Trust Fund Account Number 3P02 464101 N41S0608QN0 and expended from Trust Account Number 3P02 524001 N41S0608QNAO, on behalf of the Department of Parks, Recreation and Cultural Affairs; and for other purposes. (Public Hearing held 11/13/02) (Referred to NPU'S) (Amended and held 11/13/02)

02R1874(9) A Resolution by Councilmember Clela Winslow authorizing the acceptance of a Quit Claim Deed from Mechanicsville Renovation Venture, Inc., for various residential properties in the Mechanicsville Community known as the Mekenzie Place Development; to authorize the issuance of a Request For Proposals to developers interested in acquiring and developing/redeveloping said properties or in the alternative, authorizing the Mayor to execute a Quit Claim Deed conveying said properties to either the Land Bank Authority of the City of Atlanta or to the Atlanta Development Authority for development/redevelopment and/or reconveyance to an interested developer; to rescind conflicting resolutions; and for other purposes. (Held 10/30/02)

02O1886(10) An Ordinance by Councilmembers C. T. Martin and Jim Maddox as substituted and 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/or years of service equaling Rule 75, or 30 years or more of service, for employees in the General Employees Pension Fund; and for other purposes. (Amended, held and referred to Pension -Board 10/30/02) (Substituted, held and referred to Pension Board 11/13/02) (Favorable on Substitute and referred back to the Pension Board 11/25/2002)

02O1887(11) An Ordinance by Councilmembers C. T. Martin and Jim Maddox as substituted and amended by Finance/Executive Committee to amend the pension acts applicable to the City of Atlanta, so as to provide for a retirement program for employees separated to balance the 2003 Budget; and for other purposes. (Amended, held and referred to Pension Board 10/30/02) (Substituted, held and referred to Pension Board 11/13/02)

02O1889(12) An Ordinance by Councilmember Jim Maddox to amend Article IX, Division 4 Borrowing and Indebtedness so as to pre-determine minority participation of underwriters on municipal bonds; and for other purposes. (Held 10/30/02)

02O1963(13) An Ordinance by Councilmember C. T. Martin to amend Article IV, Division 2 of the Code of Ordinances of the City of Atlanta by adding a new Section 114-113 entitled "Extra Help Positions" which requires that all requests for Extra Help Positions be approved by the Mayor and the Atlanta City Council; and for other purposes. (Held 11/13/02)

02O0083(14) An Ordinance by Councilmember Clair Muller amending Section 2-1292 of the City's Code of Ordinances to clarify procedures for authorizing the City's Purchasing Agent's Execution of Contract Modifications and Change Orders to City Contracts; to clarify certain errors and inconsistencies in the Code Section; and for other purposes. (Held 11/25/02)

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

TRANSPORTATION COMMITTEE H. LAMAR WILLIS, CHAIR

RESOLUTIONS

02R2025(1) An Amended Resolution by Transportation Committee authorizing the Mayor to award and execute a Concession Lease Agreement with Grecian Foods, Inc. for FC-7429-02, Frozen Dessert Concession - Concourse "B"(RFP). **FAVORABLE AS AMENDED ON CONDITION**

02R2026(2) An Amended Resolution by Transportation Committee authorizing the Mayor to award and execute a Concession Lease Agreement with AT&T for FC-7427-02, Public Pay Telephone Concession at Hartsfield Atlanta International Airport. **FAVORABLE AS AMENDED ON CONDITION**

02R2068(3) A Resolution by Transportation Committee establishing the compensation limit for the Hartsfield Construction Management (HCM), a Joint Venture of DMJM Aviation, Thacker Operating Company, Bovis Lend Lease, Luster CM, Inc. and Louis Berger, to provide Comprehensive Construction Management Services, under Contract FC-7217-00B, during the Second Year of the term from December 1, 2002, through December 1, 2003, pursuant to the terms and conditions of the Contract, up to a total amount not to exceed \$14,400,000.00 to be charged to and paid from Fund, Account and Center Number: 2H21 524001 R21001; and for other purposes. **FAVORABLE AS AMENDED ON CONDITION**

02R2121(4) A Resolution by Transportation Committee authorizing the Mayor to accept the best and final offer from and to execute a Contract FC-7319-01, I-285 Bridge Structure with Archer Western Constructors, LTD for the Construction of the I-285 Bridge Structures for the 5th Runway at Hartsfield Atlanta International Airport in an amount not to exceed \$159,500,000.00 to be paid from and charged to the following Fund, Account and Center Number: 2H26 574001 R21E050693CH. **FAVORABLE** (3 YEA'S) (2 NAY'S)

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. as amended by Transportation Committee authorizing the Mayor or her designee to install a Traffic Signal at the intersection of Fair Street, SW at Walker Street; and for other purposes. (Amended and held 11/13/02)

02O1543(4) 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(5) An Ordinance by Councilmember Debi Starnes to establish a Residential Only Loading and Unloading Zone in Downtown Atlanta. (Held 10/2/02)

02R1964(6) A Resolution by Councilmember Anne Fauver requesting that the Department of Public Works perform a traffic and cost analysis, make recommendations on improvements to the Rock Springs Road East Corridor; and for other purposes. (Held 11/13/02)

02R1965(7) A Resolution by Councilmember Anne Fauver requesting that the Department of Public Works perform a traffic and cost analysis, make recommendations on improvements to the Moreland Avenue Corridor; and for other purposes. (Held 11/13/02)

02R2067(8) A Resolution by Transportation Committee authorizing the Mayor to execute an appropriate contractual agreement with W. B. Wallis & Company for FC-7501-01, Automated Guideway Transit (AGT) Tube Smoke Removal System on behalf of the Department of Aviation in an amount not to exceed \$3,340,000.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: . (Held 11/25/02)

02C2081(9) A Communication by Mayor Shirley Franklin appointing Mr. J. Michael Walls to serve on the MARTA Board of Directors of the City of Atlanta. This appointment is for a term of four (4) years, scheduled to begin on the date of Council confirmation. (Held 11/25/02)

02C2082(10) A Communication by Mayor Shirley Franklin appointing Ms. Gloria Leonard to serve on the MARTA Board of Directors of the City of Atlanta. This appointment is for a term of four (4) years, scheduled to begin on the date of Council confirmation. (Held 11/25/02)

02R2120(11) A Resolution by Transportation Committee authorizing the Mayor to enter into an agreement with John Boatright for engagement as a Project Officer for the Hartsfield Development Program; to authorize the terms of such engagement; and for other purposes. (Held 11/25/02)

MEMBER PRESENT: WILLIS, SMITH, MARTIN, FAUVER, MOORE, SHOOK & BOAZMAN

ZONING COMMITTEE DEBI STARNES, CHAIR

ZRB SUMMARY REPORT (SEE ATTACHED LIST)

FAVORABLE

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<u>02-O-0824</u>	Z-02-24	2101 Spink Street, NW (D-9)	R-4A, R-5 & I-2 to PD-H*	Approval	Approval	Favorable
<u>02-O-0871</u>	Z-02-33	787 Francis Place, NW (J-9)	R-4 to PD-H	Approval	Approval	Favorable
<u>02-O-1605</u>	Z-02-62	1900 Delowe Place, SW (R-11)	R-3 to PD-H	Approval	Approval	Favorable
<u>02-O-1805</u>	Z-02-68	976 Seaboard Avenue, NW/969-971-981 Mantissa Street, NW (D-9)	R-4 to PD-H	Approval	Approval	Favorable
<u>02-O-1360</u>	U-02-21	766 Simpson Street, NW (L-3)	Rooming House	Denial	Approval	Favorable
<u>02-O-1811</u>	U-02-26	2721 Metropolitan Parkway, SW	Pool Room and Game Room	Approval on Condition	Approval	Favorable

(X-12)

<u>02-O-1812</u>	U-02-29	577 Fairburn Road, SW/ 3370-3440 Hardin Drive, SW	Community Service Facility	Approval on Condition	Approval	Favorable
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(H-10)

FAVORABLE ON SUBSTITUTE

<u>02-O-1807</u>	Z-02-70	978 North Avenue, NE	R-4 to RG-2*	Approval	Approval	Favorable on Substitute
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(N-2)

FILE

<u>02-O-1357</u>	U-02-18	2275-2285 Metropolitan Parkway, SW	Single-Room Occupancy Residence	File	Denial	File
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(X-12)

ORDINANCES FOR SECOND READING

02O1905(1) An Ordinance by Community Development/HumanResources Committee to amend the Land Use Element of the City of Atlanta 2003 Comprehensive Development Plan (CDP) so as to re-designate properties located at 2451 Bankhead Highway, NW, from the “Low Density Residential” Land Use Designation to the “Low Density Commercial” Land Use Designation; and for other purposes. (Public Hearing held 11/25/02) (Favorable by CD/HR Committee 11/26/02) NPU-J Council District 9 **FAVORABLE**

02O1267(2) A Substitute Ordinance by Zoning Committee to rezone from the R-5 (Two-Family Residential) District to the C-2 (Commercial Service) District, property located at 2451 Bankhead Highway, NW, fronting 427.92 feet on the northwesterly side of Bankhead Highway beginning 137 feet northeasterly from the northeast corner of Hall Street. (Public Hearing held 11/25/02)

Depth: Varies

Area: 5.53 Acres

Land Lot: 177, 14th District, Fulton County, Georgia

Owner: Salem Baptist Church of Atlanta, Inc.

Applicant: Same

By: Joseph G. Mattarella, Esq., Attorney

NPU-J Council District 9

FAVORABLE ON SUBSTITUTE

02O1904(3) An Ordinance by Community Development/HumanResources Committee to amend the Land Use Element of the City of Atlanta 2003 Comprehensive Development Plan (CDP) so as to re-designate properties located at 620-628 John Wesley Dobbs Avenue, NE, from the allowable 9-16 Units Per Acre to 0-32 Units Per Acre; and for other purposes. (Public Hearing held 11/25/02) (Favorable by CD/HR Committee 11/26/02) NPU-

M Council District 2 FAVORABLE

02O1067(4) An 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 620-628 John Wesley Dobbs, NE, fronting 120 feet on the north side of John Wesley Dobbs beginning at the northeast corner of John Wesley Dobbs and Lampkin Street.

Depth: 222 Feet

Area: 27,733 Square Feet

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

Owner: McConnell Homes, Inc.

Applicant: Robert Reed and Preston Associates

NPU-M Council District 2

FAVORABLE

02-O-1906 (5) 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 properties located at 677 Somerset Terrace, NE, from the “Low Density Residential 0-8 Units Per Acre” Land Use Designation to the “Medium Density Residential 0-64 Units Per Acre” Land Use Designation; and for other purposes. (Public Hearing held 11/25/02) (Favorable by CD/HR Committee 11/26/02) NPU-N Council District 2 **FAVORABLE AS AMENDED**

02O1268(6) A Substitute Ordinance by Zoning Committee to rezone from the R-5 (Two-Family Residential) District to the RG-3-C (Residential General-Sector 3-Conditional) District, property located at 677 Somerset Terrace, NE, fronting 115.75 feet on the east side of Somerset Terrace beginning 210 feet south from southeast corner of Ponce de Leon Avenue.

Depth: 181 Feet

Area: Approximately 20,815 Square Feet

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

Owner: Robert H. Troy

Applicant: Same NPU-N Council District 2 FAVORABLE ON SUBSTITUTE

02O1908(7) 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 properties located at 661 Meldrum Street, NW/516 Elm Street, NW/511 Elm Street, NW, from the “Medium Density Residential” Land Use Designation to the “High Density Residential” Land Use Designation; and for other purposes. (Public Hearing held 11/25/02) (Favorable by CD/HR Committee 11/26/02) NPU-L Council District 3 **FAVORABLE**

02O1607(8) A Substitute Ordinance by Zoning Committee to rezone property as follows:

Tract 1: From I-1 (Light Industrial) District to RG-4-C (Residential General Sector 4-Conditional) District, property located at 661 Meldrum Street, NW, fronting 100 feet on the north side of Meldrum Street beginning at the northwest corner of Elm Street.

Depth: 288.24 Feet

Area: 0.66 Acre

Tracts 2 and 3: (Combined): From I-1 (Light Industrial) District to RG-4-C (Residential General-Sector 4-Conditional) District, property located at 516 Elm Street, NW, fronting 100 feet on the south side of Meldrum Street beginning at the southwest corner of Elm Street.

Depth: 293.14 Feet

Area: 0.67 Acre

Tract 4: From R-5 (Two-Family Residential) to RG-4-C (Residential General-Sector 4-Conditional) District, property located at 511 Elm Street, NW, fronting 100.33 feet on the south side of Meldrum Street beginning at the southeast corner of Elm Street.

Depth: 291.51 Feet

Area: 0.67 Acre

FAVORABLE ON SUBSTITUTE

02O1909(9) 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 properties located at 920 Sells Avenue, SW, from the “Medium Density Residential” Land Use Designation to the “Low Density Commercial” Land Use Designation; and for other purposes. (Public Hearing held 11/25/02) (Favorable by CD/HR Committee 11/26/02) NPU-T Council District 4 FAVORABLE

02O1608(10) An Ordinance by Zoning Committee to rezone from the RG-3(Residential General-Sector 3) District to the MR-2 (Multi-Family Residential-Sub District 2) District, MR-3 (Multi-Family Residential-Sub District 3) District and MRC-1 (Mixed Residential Commercial-Sub District 1) District property located at 920 Sells Avenue, SW, fronting 849.88 feet on the south side of Sells Avenue beginning at the southeast corner of Peoples Street.

Depth: 720.48 Feet

Area: 14.2605 Acres

Land Lot: 117, 14th District, Fulton County, Georgia

Owner: The Housing Authority of the City of Atlanta

Applicant: Roderick W. Teachey

NPU-T Council District 4

FAVORABLE ON SUBSTITUTE

02O1878(11) An Ordinance by Councilmember Felicia A. Moore 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 Spink Street, NW, west of the Georgia Power Transmission Line from the “Low Density Residential” and “Industrial” Land Use Designations to the “Single Family Residential” Land Use Designation; and for other purposes. (Public Hearing held 11/25/02) (Favorable by CD/HR Committee 11/26/02) FAVORABLE

02O1999(12) 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 located at 978 North Avenue, NE, from the “Low Density Residential (0-8 Units Per Acre)” Land Use Designation to the “Low Density Residential (17-32 Units Per Acre)” Land Use Designation; and for other purposes. (Public Hearing held 11/25/02) (Favorable by CD/HR Committee 11/26/02) NPU-N Council District 2 **FAVORABLE**

PAPERS HELD IN COMMITTEE

02O0181(1) An Ordinance by Zoning Committee designating the MedicalArts 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)

02O0253(2) An Ordinance by Councilmembers Cleta Winslow, Jim 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 the Pittsburgh Redevelopment Plan; and for other purposes. (Held 10/2/02)

02O0874(3) 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, ARCHIBONG, YOUNG, NORWOOD, SHOOK & SMITH

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

[Webmaster](#)

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