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ATLANTA CITY COUNCIL

AGENDA

March 3, 2003

Order of Business for the Atlanta City Council

Monday, March 3, 2003

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**

Transportation Committee H. Lamar Willis 16

Zoning Committee Ivory Lee Young, Jr. 18

Committee on Council** Carla Smith 22

City Utilities Committee* Clair Muller 23

Community Development/Human

Resources Committee Debi Starnes 26

Public Safety and Legal

Administration Committee Ceasar C. Mitchell 29

Finance/Executive Committee Felicia A. Moore 31

14. Personal Papers and General Remarks

15. Announcements

16. Adjournment: Roll Call

* **No Report**

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

CONSENT AGENDA

There will be no separate discussion of these items. If discussion on any item is desired, the item will be removed from the Consent Agenda and will be considered separately - excerpt from 11.3, Consent Agenda; Rules for the Conduct of Business for the Council of the City of Atlanta.

SECTION I

ORDINANCES FOR SECOND READING

TRANSPORTATION COMMITTEE - H. LAMAR WILLIS, CHAIR

03O0154(1) An Ordinance by Transportation Committee authorizing the Mayor or her designee to make the intersection of Club Drive, NE, West Brookhaven Drive and Winall Down Road an All-Way Stop.

03O0155(2) An Ordinance by Transportation Committee authorizing the Mayor or her designee to make the intersection of Commercial Avenue, NW and Oldknow Drive an All-Way Stop.

[03O0156\(3\)](#) An Ordinance by Transportation Committee authorizing the Mayor or her designee to make segments of the following street within the City of Atlanta No Parking Anytime: Howard Street, SE and Piper Circle, SE.

[03O0157\(4\)](#) 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 4:00 p.m. - 6:00 p.m., Monday through Friday: Pryor Street, SW.

[03O0158\(5\)](#) An **Amended** Ordinance by Transportation Committee to amend the Code of Ordinances, Part II-General Ordinances, Chapter 138 Streets, Sidewalks and Other Public Places, Article III, Improvements, Division 84, Speed Humps-Installation to allow for inclusion of all traffic calming measures; and for other purposes.

[03O0159\(6\)](#) An Ordinance by Transportation Committee authorizing the Mayor or her designee to make the intersection of Adina Drive, NE and Morosgo Drive an All-Way Stop.

CONSENT AGENDA SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

TRANSPORTATION COMMITTEE - H. LAMAR WILLIS, CHAIR

[03O0227\(7\)](#) An Ordinance by Councilmember H. Lamar Willis **as amended by Transportation Committee** authorizing the Mayor or her designee, on behalf of the City of Atlanta, to execute a contractual agreement with the Georgia Department of Transportation for the exchange of properties and maintenance of relocated Riverdale Road in Clayton County, Georgia; and authorizing the Mayor to execute appropriate Warranty Deeds and other legal instruments necessary to evidence the conveyances; and for other purposes.

[03O0230\(8\)](#) An Ordinance by Councilmember H. Lamar Willis **as substituted by Transportation Committee** authorizing the Mayor or her designee, on behalf of the City of Atlanta, to execute an Agreement and Warranty Deed conveying to the City of College Park the Right-of Way for the relocated section of Sullivan Road in Land Lot 38 of the 13th District of Clayton County; and for other purposes.

[03O0231\(9\)](#) An Ordinance by Councilmember H. Lamar Willis **as amended by Transportation Committee** authorizing the First Amendment to the March 16, 2000 Intergovernmental Agreement between Clayton County, Georgia and the City of Atlanta; and for other purposes.

FINANCE/EXECUTIVE COMMITTEE - FELICIA A. MOORE, CHAIR

[03O0278\(10\)](#) A **Substitute** Ordinance by Finance/Executive Committee to amend the 2003 (2002 Traffic Court Facility Bond Fund) Budget, in the amount of \$6,400.000 for Programming, Design-build, Financing and Court Lease-purchase of the new City Court of Atlanta facility (The Project); and for other purposes.

RESOLUTIONS

TRANSPORTATION COMMITTEE - H. LAMAR WILLIS, CHAIR

[03R0232\(1\)](#) A Resolution by Transportation Committee authorizing the Mayor or her designee to execute Amendment No.1 to the Lease Agreement with Delta Air Lines, Inc., (Delta) to amend the permitted uses provision therein to provide for the establishment of Airline Administrative Offices and the subleasing thereof.

CONSENT AGENDA SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

TRANSPORTATION COMMITTEE - H. LAMAR WILLIS, CHAIR

03R0285(2) A Resolution by Transportation Committee authorizing the Aviation General Manager to issue a Work Authorization to Hartsfield Support Services Team for FC-7369-01, Architectural and Engineering Major Support Services in an amount not to exceed \$1,675,000.00 for Architectural and Engineering Design of the New Airport Safety Command Center and the CPTC General Upgrades-Cosmetic Phase 2 at Hartsfield Atlanta International Airport. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2H21 524001 R21E10209999.

03R0286(3) A Resolution by Transportation Committee authorizing the Mayor or her designee to execute a contractual agreement with Artist Steven Waldeck that shall commission his services for the purpose of designing, fabricating, transporting and installing an artwork for the Transportation Mall at Hartsfield Atlanta International Airport as part of the Airport Art Program, for total cost the City of Atlanta not to exceed \$1,300,000.00, to charged to and paid from Fund, Account and Center Number: 2H21 576001 R21002; and for other purposes.

CITY UTILITIES COMMITTEE - CLAIR MULLER, CHAIR

02R1970(4) A Resolution by Councilmember Clair Muller **as substituted and amended 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 \$65,500.00 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.

03R0235(5) A Resolution by City Utilities Committee to approve and accept the City of Atlanta Flood Mitigation Plan prepared in coordination with the City of Atlanta and the Atlanta-Fulton County Emergency Management Agency with the purpose to ensure mitigation and preparedness for flood-related disasters which may affect the City of Atlanta; to provide guidelines to reduce the effect of flooding; and for other purposes.

CONSENT AGENDA SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

CITY UTILITIES COMMITTEE - CLAIR MULLER, CHAIR

03R0321(6) A Resolution by City Utilities Committee amending Resolution **02R1179to increase compensation limits for Montgomery Watson/Khafra-JV, for Contract FC-7093-99, Program Management Services for the Atlanta Wastewater System Improvements, during the second year of the term from March 16, 2002 to March 31, 2003, pursuant to the terms and conditions of the Contract, from \$20,900,000.00 to \$23,600,000.00, a net increase of \$2,700,000.00, to be charged to and paid from Fund, Account and Center Number: 2J27 524001 T31001.**

COMMUNITY DEVELOPMENT/HUMAN

RESOURCES COMMITTEE - DEBI STARNES, CHAIR

03-R-0216 (7) A Resolution by Community Development/Human Resources Committee authorizing the Mayor to enter into an appropriate Contractual Agreement with Atlanta Building Maintenance for FC-7497-02, the Boisfeuillet Jones Atlanta Civic Center Janitorial Services, on behalf of the Department of Parks, Recreation and Cultural Affairs in an amount not to exceed \$177,600.00; all contracted work shall be charged to and paid from Fund, Account and Center Number: 2R01 523001 N42101.

03R0222(8) A Resolution by Community Development/Human Resources Committee authorizing the Mayor to enter into Housing Assistance Payment Contract Amendments with In-Pen Corporation and Del-Har, Inc., to implement the Section 8 Moderate Rehabilitation Program sponsored by the U.S. Department of Housing and Urban Development

(HUD); and for other purposes.

03R0309(9) A Resolution by Councilmembers Natalyn Archibong and Debi Starnes **as amended by Community Development/Human Resources Committee** scheduling a Public Hearing on April 1, 2003 for the application of Auburn Glenn, LP for a Mixed Use Enterprise Zone.

CONSENT AGENDA SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

PUBLIC SAFETY AND LEGAL

ADMINISTRATION COMMITTEE - CEASAR C. MITCHELL, CHAIR

03R0226(10) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor extend a Lease Agreement with the Georgia Tech Foundation Real Estate Holding Corporation for the rental of 2,665 square feet of office space located at 398 Techwood Drive, Atlanta, Georgia, for the Police Zone Five Precinct, from April 1, 2003, until March 31, 2004, in the amount not to exceed \$1 a year, to be charged and paid from Account Number: 1A01 525001 X25001.

03R0283(11) A Resolution by Public Safety and Legal Administration Committee authorizing the settlement of the claim of Sonia M. Bush in the amount of \$2,847.27 against the City of Atlanta; and for other purposes.

03R0284(12) A Resolution by Public Safety and Legal Administration Committee authorizing the settlement of all claims resulting from the case of Jimmy Scott Bagley v. J. G. Wingo, Beverly Harvard, City of Atlanta, Georgia, et al., pending in the U.S.D.C. Civil Action File No. 1:96-CV-0151-CAM, in an amount of \$66,750.00; authorizing the Chief Financial Officer to disburse the settlement amount; and for other purposes.

FINANCE/EXECUTIVE COMMITTEE - FELICIA A. MOORE, CHAIR

03R0324(13) A Resolution by Finance/Executive Committee to authorize the Chief Financial Officer to re-employ Ms. Francis A. Johnson, a retired employee of the City of Atlanta Department of Finance, under provisions of Section 3-505 of the Charter of the City of Atlanta, for a period not to exceed 520 days; and for other purposes.

PUBLIC SAFETY AND LEGAL

ADMINISTRATION COMMITTEE CEASAR C. MITCHELL, CHAIR

Claims with Favorable Recommendations:

03R0237(1) Claim of **Sara J. Murray**, for damages alleged to have been sustained as a result of a sewer backup on September 21, 2002 at 42 Karland Drive, NE. **\$1,940.00**

CONSENT AGENDA SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

PUBLIC SAFETY AND LEGAL

ADMINISTRATION COMMITTEE CEASAR C. MITCHELL, CHAIR

Claims with Favorable Recommendations:

03R0238(2) Claim of **Nazaire Theodore**, for damages alleged to have been sustained as a result of a vehicular accident on January 25, 2003 at 3655 Cascade Road, SW. **\$1,531.06**

03R0239(3) Claim of **David James**, for damages alleged to have been sustained as a result of a vehicular accident on December 8, 2002 at Northside Drive, NW at Martin Luther King, Jr. Drive. **\$994.07**

03R0240(4) Claim of **John Carter Stercho**, for damages alleged to have been sustained as a result of vehicular damage due to driving over an unraised manhole on November 20, 2002 at 1230 East Rock Springs Road. **\$991.42**

03R0241(5) Claim of **Kevin Hollingsworth**, for damages alleged to have been sustained as a result of a vehicular accident on October 8, 2002 at 156 Murray Hill Avenue. **\$2,000.00**

03R0242(6) Claim of **First Preservation Partners**, for damages alleged to have been sustained as a result of property damage due to a series of sewer backups between April and May, 2002 at 40-42 Forsyth Street. **\$1,610.00**

03R0243(7) Claim of **Martez Antoine Johnson, through his attorney Fred Lerner**, for damages alleged to have been sustained as a result of a vehicular accident on March 6, 2002 at Simpson Road and Burbank Drive. **\$2,000.00**

03R0245(8) Claim of **Heather Kerwin**, for damages alleged to have been sustained as a result of a vehicular damage due to driving over an unraised manhole on November 19, 2002 at 1230 East Rock Springs Road. **\$1,374.87**

03R0279(9) Claim of **Christine Harden**, for damages alleged to have been sustained as a result of a fire in a City parking lot on January 7, 2002 at 121 Memorial Drive, SW. **\$5,535.53**

03R0280(10) Claim of **Lamar Thrasher**, for damages alleged to have been sustained as a result of a forklift striking a toolbox on November 1, 2002 at 23 Claire Drive, SE. **\$2,000.00**

CONSENT AGENDA SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

PUBLIC SAFETY AND LEGAL

ADMINISTRATION COMMITTEE CEASAR C. MITCHELL, CHAIR

Claims with Favorable Recommendations:

03R0281(11) Claim of **State Farm Insurance Companies, as subrogee of Barbara Blankenship**, for damages alleged to have been sustained as a result of a vehicular accident on November 1, 2002 at Peachtree Street, NE at 10th Street, NE. **\$2,000.00**

03R0282(12) Claim of **Robert McLaughlin**, for damages alleged to have been sustained as a result of several sewer backups on October 5, November 28, 2001, January 4 and September 9, 2002 at 960 Lynhurst Drive, SW. **\$707.67**

Claims with Unfavorable Recommendations:

03R0244(13) Claim of **Trudy Hearn**, for damages alleged to have been sustained as a result of vehicular damage due to curb installation on July 19, 2002 at Oak Valley Road and East Paces Ferry Road.

03R0246(14) Claim of **Jeffrey Rogers, through his attorney, Guy J. Notte**, for damages alleged to have been sustained as a result of a vehicular accident on March 3, 2002 at West Paces Ferry and Rembrandt Roads.

03R0247(15) Claim of **Stacey Tabickman**, for damages alleged to have been sustained as the result of a vehicular accident on January 9, 2001 at 2875 Parrott Avenue.

[03R0248\(16\)](#) Claim of **Yolanda Robinson, through her attorney, Stanford N. Klinger**, for damages alleged to have been sustained as a result of personal injuries on April 28, 2002 at the Atlanta Airport.

[03R0249\(17\)](#) Claim of **John Jursic**, for damages alleged to have been sustained as a result of vehicular damage due to driving over a pothole on September 1, 1999 at Meadow Lane Road.

[03R0250\(18\)](#) Claim of **Clinton S. Textor**, for damages alleged to have been sustained as a result of claimant's incarceration on August 28, 2001 at the Pretrial Detention Center at 254 Peachtree Street, SW.

CONSENT AGENDA SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

PUBLIC SAFETY AND LEGAL

ADMINISTRATION COMMITTEE CEASAR C. MITCHELL, CHAIR

Claims with Unfavorable Recommendations:

[03R0251\(19\)](#) Claim of **E. Ronald Finger, M.D.**, for damages alleged to have been sustained as a result of the death of claimant's daughter in a vehicular accident on September 14, 2001 at Piedmont and Auburn Avenues.

[03R0252\(20\)](#) Claim of **Linda Thompson, through her attorney Kenneth L. Shigley**, for damages alleged to have been sustained as a result of personal injuries on April 4, 2002 at the Atlanta Airport.

[03R0253\(21\)](#) Claim of **Demandrea White, through her attorney, John W. Greer, III**, for damages alleged to have been sustained as a result of a vehicular accident on May 24, 2002 at 2535 Bankhead Highway.

[03R0254\(22\)](#) Claim of **Cassandra Hodge**, for damages alleged to have been sustained as a result of an error in reporting a traffic conviction to the State on August 8, 2001 at 104 Trinity Avenue, SW.

[03R0255\(23\)](#) Claim of **Gaile Aaron, through her attorney, Stephanie Woodard**, for damages alleged to have been sustained as a result of an arrest on March 22, 2002 at Crescent Avenue and 13th Street.

[03R0256\(24\)](#) Claim of **Veronica Joaquin, through her insurance carrier, Inspire Insurance Solutions**, for damages alleged to have been sustained as a result of a vehicular accident on November 11, 2000 at Industrial Site Road and Industrial Site Circle.

[03R0257\(25\)](#) Claim of **Steven D. Simon**, for damages alleged to have been sustained as a result of an arrest on August 12, 2001 at 1000 Piedmont Avenue.

[03R0258\(26\)](#) Claim of **Fulton County Department of Registration and Elections**, for damages alleged to have been sustained as a result of vehicular damage due to vandalism on October 19, 2001 at 736 Cleveland Avenue.

CONSENT AGENDA SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

PUBLIC SAFETY AND LEGAL

ADMINISTRATION COMMITTEE CEASAR C. MITCHELL, CHAIR

Claims with Unfavorable Recommendations:

[03R0259\(27\)](#) Claim of **Denise Telles, through her attorney, Harold D. McLendon**, for damages alleged to have been sustained as a result of a traffic arrest on July 13, 2002 at 805 Metropolitan Parkway.

[03R0260\(28\)](#) Claim of **Velma S. O'Neal and Chrisma Jackson, a minor**, for damages alleged to have been sustained as a result of personal injuries caused by a third party on October 26, 2002 at 2755 Bolton Road, NW.

[03R0261\(29\)](#) Claim of **Adele Pearson, as mother and guardian of Skyler Pearson a minor and the Estate of Mark Lupton-Smith, through their attorney, James N. Sadd**, for damages alleged to have been sustained as a result of a traffic fatality on May 31, 2002 at Bolling Way and East Paces Ferry Road.

[03R0262\(30\)](#) Claims of **Kimberly S. Wells**, for damages alleged to have been sustained as a result of a sewer backup on May 18, 2002 at 1399 Jonesboro Road.

[03R0263\(31\)](#) Claim of **Ralph Johnson, through his attorney, Anthony T. Pete**, for damages alleged to have been sustained as a result of an arrest on September 29, 2002 at Interstate 20 and the Glenwood Memorial Connector.

[03R0264\(32\)](#) Claim of **Latrell Burnette, through his attorney, Lloyd Hoffspiegel**, for damages alleged to have been sustained as a result of an arrest on December 15, 2001 at 489 Courtland Avenue, NE.

[03R0265\(33\)](#) Claim of **Annette Wesson**, for damages alleged to have been sustained as a result of personal injuries due to a fall on August 17, 2002 at the Atlanta Airport.

[03R0266\(34\)](#) Claim of **Vincent Riddick**, for damages alleged to have been sustained from a construction cut that was left open and in an unsafe condition on October 25 2002 at Northside Drive and 10th Street, NW.

CONSENT AGENDA SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

PUBLIC SAFETY AND LEGAL

ADMINISTRATION COMMITTEE CEASAR C. MITCHELL, CHAIR

Claims with Unfavorable Recommendations:

[03R0267\(35\)](#) Claim of **Calvin Fish**, for damages alleged to have been sustained as a result of driving over a manhole that was exposed during a road resurfacing project on February 11, 2002 at 3122 Peachtree Road, NE and Roswell Road.

[03R0268\(36\)](#) Claim of **Stanley Oluranti**, for damages alleged to have been sustained as a result of driving over a manhole cover that was located in the road on March 30, 2002 at 2712 Piedmont Road, NE.

[03R0269\(37\)](#) Claim of **Barbara Johnson**, for damages alleged to have been sustained from hydroplaning into a retaining wall as a result of standing water on the road on June 14, 2002 on Interstate 75 Southbound at Moores Mills Road, NW.

[03R0270\(38\)](#) Claim of **Teresa Collier**, for damages alleged to have been sustained as a result of driving over a pothole in the roadway on May 14, 2002 at Ponce de Leon Avenue, NE and Monroe Drive, NE.

[03R0271\(39\)](#) Claim of **Jason U. Jesensky**, for damages alleged to have been sustained as a result of driving over a metal plate that was improperly covering a construction site on April 14, 2002 on Piedmont Road, NE and Habersham Road, NE.

[03R0272\(40\)](#) Claim of **Derek N. Marks**, for damages alleged to have been sustained as a result of a construction cut that was left open and in an unsafe condition on September 22, 2002 at 494 Ponce de Leon Avenue, NE.

[03R0273\(41\)](#) Claim of **Tryone Knox**, for damages alleged to have been sustained as a result of driving over a construction site that was left open and in an unsafe condition on August 19, 2002 at 14th Street, NW and Holly Street, NW.

[03R0274\(42\)](#) Claim of **Amir Ebrahimi**, for damages alleged to have been sustained as a result of driving over a water valve that was exposed during a road construction project on October 22, 2002 at 14th Street, NW and Snyder, NW.

CONSENT AGENDA SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

PUBLIC SAFETY AND LEGAL

ADMINISTRATION COMMITTEE CEASAR C. MITCHELL, CHAIR

Claims with Unfavorable Recommendations:

[03R0275\(43\)](#) Claim of **James C. A. Morris**, for damages alleged to have been sustained as a result of driving over a pothole in the road on May 14, 2002 on Ponce de Leon Avenue, NE and Monroe Drive NE.

[03R0276\(44\)](#) Claim of **Martin B. Amschler**, for damages alleged to have been sustained as a result of driving over a manhole that was exposed during a road resurfacing project on June 11, 2002 at Peachtree Road, NE and Highland Drive, NE.

[03R0277\(45\)](#) Claim of **State Farm Insurance Companies, as subrogee of Michael Ginn**, for damages alleged to have been sustained from driving over a construction site in the road that was left in an open and unsafe condition on October 15, 2002 at 14th Street, NW and Holly Street, NW.

CONSENT AGENDA SECTION II

ORDINANCES FOR FIRST READING

TRANSPORTATION COMMITTEE - H. LAMAR WILLIS, CHAIR

[03O0228\(1\)](#) An Ordinance by Transportation Committee to amend the 2003 (2002 Airport Revenue Bond Fund) Budget by transferring to and from appropriations the amount of \$20,119,355.69 for the purpose of reimbursing the Airport Renewal and Extension Fund from the 2003 (2002 Airport Revenue Bond Fund) those Funds advanced in 2002 to pay expenditures related to some costs associated with the Taxiway N5, M14 and Intersection Upgrades, Site Preparation Phase I and II, and Runway and Taxiway Structures Projects with proceeds of the 2002 Bond Anticipation Notes; and for other purposes.

TO BE REFERRED TO TRANSPORTATION COMMITTEE

[03O0229\(2\)](#) An Ordinance by Transportation Committee to amend the 2003 (Airport Passenger Facility Charge Fund and the Airport Renewal and Extension Fund) Budgets by transferring to and from appropriations the amount of \$4,835,052.00 for the purpose of reimbursing the Airport Renewal and Extension Fund from the 2003 (Airport Passenger Facility Charge Fund) those Funds advanced in 2002 to pay expenditures related to some costs associated with the CPTC Terminal Roadway Improvements, Phase I Project with revenue from Airport Passenger Facility Charges; and for other purposes.

TO BE REFERRED TO TRANSPORTATION COMMITTEE

[03O0234\(3\)](#) An Ordinance by Transportation Committee authorizing the Mayor or her designee to make the

intersection of Loomis Avenue, SE and Woodward Avenue an All-Way Stop.

TO BE REFERRED TO TRANSPORTATION COMMITTEE

CONSENT AGENDA SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN

RESOURCES COMMITTEE - DEBI STARNES, CHAIR

03O0219(4) An Ordinance by Community Development/Human Resources Committee anticipating and appropriating \$2,990,628.00 in the 2003 Community Development Block Grant Program (CDBG), \$119,000.00 in the 2003 Emergency Shelter Grant (ESG) Program, \$1,000,000.00 in the 2003 Home Investment Partnership Program (HOME), and \$1,892,480.00 in the 2003 Housing Opportunities for Persons with AIDS (HOPWA) Grant Program; and for other purposes.

TO BE REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

03O0221(5) An Ordinance by Community Development/Human Resources Committee amending the 2003 (Community Development Fund) by anticipating and appropriating \$266,372.00, 2003 (Home Investment Fund) by anticipating and appropriating \$137,000.00, and 2003 (Intergovernmental Grant Fund) Budget by anticipating and appropriating \$116,520.00 and transferring appropriations from Reserve Accounts to Administrative Accounts in the 2003 CDBG, HOME and HOPWA Programs; and for other purposes.

TO BE REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

03O0294(6) An Ordinance by Community Development/Human

CDP-03-04 Resources Committee to amend the Land Use Element of the City of Atlanta 2003 Comprehensive Development Plan (CDP) so as to re-designate property that is located at **1150 Astor Avenue, SW**, from the "Industrial" and "Single Family Residential" Land Use Designations to the "Medium Density Residential" Land Use Designation; and for other purposes. **(Advertised for a Public Hearing 3/10/03)**

NPU-X Council District 12

TO BE REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

CONSENT AGENDA SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN

RESOURCES COMMITTEE - DEBI STARNES, CHAIR

03O0293(7) An Ordinance by Community Development/Human

CDP-03-06 Resources Committee to amend the Land Use Element of the City of Atlanta 2003 Comprehensive Development Plan (CDP) so as to re-designate property that is located at **310 McDonough Boulevard, SE**, from the "Low Density Residential" Land Use Designation to the "Medium Density Residential" Land Use Designation; and for

other purposes. (Advertised for a Public Hearing 3/10/03)

NPU-Y Council District 1

TO BE REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

[03O0292\(8\)](#) An Ordinance by Community Development/Human

CDP-03-07 Resources Committee to amend the Land Use Element of the City of Atlanta 2003 Comprehensive Development Plan (CDP) so as to re-designate property that is located at **652 Bellemeade Avenue, NW**, from the "Single Family Residential" Land Use Designation to the "Low Density Commercial" Land Use Designation; and for other purposes. (Advertised for a Public Hearing 3/10/03)

NPU-D Council District 8

TO BE REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

[03O0291\(9\)](#) An Ordinance by Community Development/Human

CDP-03-08 Resources Committee to amend the Land Use Element of the City of Atlanta 2003 Comprehensive Development Plan (CDP) so as to re-designate property that is located at **431-455 Glen Iris Drive, NE**, from the "Industrial" Land Use Designation to the "Mixed Use" Land Use Designation; and for other purposes. (Advertised for a Public Hearing 3/10/03)

NPU-M Council District 2

TO BE REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

CONSENT AGENDA SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN

RESOURCES COMMITTEE - DEBI STARNES, CHAIR

[03O0322\(10\)](#) An Ordinance by Community Development and Human

CDP-03-02 Resources Committee to amend the Land Use Element of the City of Atlanta 2003 Comprehensive Development Plan (CDP) so as to re-designate certain properties located within the Pittsburgh Community; and for other purposes. (Advertised for a Public Hearing 3/10/03)

NPU-V Council District 4

TO BE REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

PUBLIC SAFETY AND LEGAL

ADMINISTRATION COMMITTEE - CEASAR C. MITCHELL, CHAIR

[03O0323\(11\)](#) An Ordinance by Public Safety and Legal Administration Committee to abolish and create two public street vending locations in the downtown area in the City of Atlanta; and for other purposes.

TO BE REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

TRANSPORTATION COMMITTEE H. LAMAR WILLIS, CHAIR

RESOLUTION

03R0287(1) A **Substitute** Resolution by Transportation Committee authorizing the Aviation General Manager to issue a Work Authorization to Hartsfield America Joint Venture, between PBS&J and Brindley Pieters, for FC-7369-01, Architectural and Engineering Major Support Services in an amount not to exceed \$2,665,984.00 for Architectural and Engineering Design of the East International Terminal Building Roadways and Trunk Drainage and Sewers H-Pipe Deep Foundation System, Projects at Hartsfield Atlanta International Airport. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2H21 524001 R21E10209999.

FORWARDED ON SUBSTITUTE WITH NO RECOMMENDATION (1 NAY)

PAPERS HELD IN COMMITTEE

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

02O1259(2) 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(3) 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(4) An Ordinance by Councilmember Debi Starnes to establish a Residential Only Loading and Unloading Zone in Downtown Atlanta. **(Held 10/2/02)**

02O2173(5) An Ordinance by Councilmember Natalyn Mosby Archibong authorizing the Mayor or her designee to install All-Way Stop signs at the intersection of the following streets: Warwick Place, NE and Howard Street; Delano Drive, NE and Howard Street; and Hallman Street, NE and Howard Street. **(Held 12/11/02)**

TRANSPORTATION COMMITTEE (2) H. LAMAR WILLIS, CHAIR

PAPERS HELD IN COMMITTEE (CONT'D)

03R0188(6) A Resolution by Councilmembers Mary Norwood, Clela Winslow, Natalyn Archibong, Carla Smith, Howard Shook, Clair Muller, Derrick Boazman, H. Lamar Willis, C. T. Martin, Debi Starnes, Ivory L. Young, Jr. and Anne Fauver requesting that the Metropolitan Atlanta Rapid Transit Authority (MARTA) install and maintain trash receptacles at every MARTA Bus Stop; for the reduction of the amount of debris in the City; and for other purposes. **(Held 2/12/03)**

03O0148(7) An Ordinance by Transportation Committee to amend Article XVII, Chapter 30 of the Code of Ordinances of the City of Atlanta so as to authorize Shared-Use-Park-for-Hire, to revise Administrative and Operational Rules and other fees for Park-For-Hire Permits; and other purposes. **(Held 2/26/03) (To be advertised for a Public Hearing 00/00/03)**

MEMBERS PRESENT: WILLIS, MARTIN, MOORE, SMITH, MULLER, BOAZMAN & MITCHELL

ZONING COMMITTEE MARY NORWOOD, VICE-CHAIR

ORDINANCES FOR SECOND READING

02O1798(1) A **Substitute** (2)Ordinance by Zoning Committee to amend

Z-02-73 the 1982 Zoning Ordinance of the City of Atlanta, so amended, by deleting in its entirety Sections 16-20A.001 through 16-20A.008(4) and enacting a new Section 16-20A.001 through 16-20A.011(19); and for other purposes. **(Held 1/15/03)**

FAVORABLE ON SUBSTITUTE

02O2181(2) An **Amended** Ordinance by Zoning Committee to rezone

Z-02-89 from the RG-2 (Residential General-Sector 2) and R-3 (Single-Family Residential) Districts to the RG-3-C (Residential General-Sector 3-Conditional) District, property located at **3714 Peachtree Road, NE/3705 Vermont Road, NE and 3718-3730 (a.k.a. 3724) Peachtree Road, NE**, fronting 465 feet on the northwesterly side of Peachtree Road beginning at the northeast corner of Vermont Road. **(Held 2/12/03)**

Depth: Varies

Area; 5.53 Acres

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

Owner: Worth Properties, LP

Applicant: Canterbury Court

By: T. Michael Tennant and Harold Buckley, Jr., Attorneys

NPU-B Council District 7

FAVORABLE AS AMENDED

02O2182(3) A **Substitute** Ordinance **as amended** by Zoning Committee

Z-02-90/ to amend Ordinance Z-89-10, adopted by City Council April

Z-89-10 3, 1989 and approved by the Mayor April 11, 1989 rezoning from the RG-2 (Residential General-Sector 2) District to the RG-3-C (Residential General Sector 3-Conditional) District, property located **3734-3760 (a.k.a. 3750) Peachtree Road, NE** for the purpose of approving a Revised Site Plan. **(Held 2/12/03)**

Owner: Canterbury Court

Applicant: Same

By: T. Michael Tennant and

Harold Buckley, Jr., Attorneys

NPU-B Council District 7

FAVORABLE ON SUBSTITUTE AS AMENDED

ZONING COMMITTEE (2) MARY NORWOOD, VICE-CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

02O2185(4) A **Substitute** Ordinance **as amended** by Zoning Committee

U-02-37/ to amend Ordinance U-89-1, adopted by City Council April

U-89-1 3, 1989 and approved by the Mayor April 11, 1989, granting a Special Use Permit for a Nursing Home, property located at **3734-3760 (a.k.a. 3750) Peachtree Road, NE**, for the purpose of approving a Revised Site Plan. **(Held 2/12/03)**

Owner: Canterbury Court

Applicant: Same

By: T. Michael Tennant and

Harold Buckley, Jr., Attorneys

NPU-B Council District 7

FAVORABLE ON SUBSTITUTE AS AMENDED

03O0304(5) An Ordinance by Councilmember Howard Shook imposing a Moratorium of the acceptance of applications for the rezoning of any property to the "I-2 Heavy Industrial" Zoning Classification, for the purpose of allowing the Bureau of Planning to create separate Land Use Classifications for Light Industrial and Heavy Industrial Uses as a part of the 2004 Annual Update of the Comprehensive Development Plan; such Moratorium to last for a period not to exceed 180 days; unless extended by further action of the City Council.

FAVORABLE

03O0307(6) An Ordinance by Councilmember Cleta Winslow **as amended by Zoning Committee** authorizing the Mayor or her designee to amend Ordinance **02O1452 to extend the Moratorium for the issuance of Building Permits for new construction on vacant lots and additions onto existing houses in a certain portion of Oakland City that are designated as being zoned as C-1, C-2, I-1, RG-3, RL-C.R-5 and R-4 for a period of four (4) months.**

FAVORABLE AS AMENDED

PAPERS HELD IN COMMITTEE

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

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

ZONING COMMITTEE (3) MARY NORWOOD, VICE-CHAIR

PAPERS HELD IN COMMITTEE (CONT'D)

02O0253(2) An Ordinance by Councilmembers Cleta Winslow, Jim

Z-02-18 Maddox, Derrick Boazman, H. Lamar Willis, Anne Fauver, Ceasar C. Mitchell and Natalyn Archibong to amend the City of Atlanta Zoning Ordinance, as amended, so as to rezone certain properties within the Pittsburgh

Redevelopment Plan the Pittsburgh Redevelopment Plan; and for other purposes. **(Held 10/2/02)**

02O1896(3) An Ordinance by Councilmember Clair Muller to rezone from

Z-02-80 the R-4A (Single-Family Residential) District to the C-2 (Commercial Service) District, property located at **652 Bellemeade Avenue, NW**, fronting 110 feet on the south side of Bellemeade Avenue beginning at the southeast corner of Leona Street. **(Held 1/15/03) (Held for CDP Amendment Public Hearing on 3/10/03)**

Depth: 170 Feet

Area: 18,700 Square Feet

Land Lot: 152, 17th District, Fulton County, Georgia

Owner: Van Winkle Construction Company, Inc.

Applicant: Same

NPU-D Council District 8

02O1989(4) A **Substitute** Ordinance by Zoning Committee to rezone from

Z-02-79 the I-1 (Light Industrial) District to the MRC-1 (Mixed Residential Commercial-Sub District 1) District, property located at **431-455 Glen Iris Drive, NE**, fronting 335.63 feet on the east side of Glen Iris Drive beginning at the southeast corner of Rankin Street. **(Held 1/15/03) (Held for CDP Amendment Public Hearing on 3/10/03)**

Depth: Varies

Area: 40,589 Square Feet

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

Owner: Glen Iris Partners, LLC

Applicant: Arthur Cohen and David Daniels

NPU-M Council District 2

MEMBERS PRESENT: NORWOOD, MOORE, BOAZMAN, SHOOK, STARNES & ARCHIBONG

COMMITTEE ON COUNCIL CARLA SMITH, CHAIR

COMMUNICATIONS

03C0296(1) A Communication by Mayor Shirley Franklin re-appointing **Oscar Leonard**, to serve as a Member of the Zoning 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. **(Forwarded with No Recommendation by Zoning Committee, 2/26/03)**

03C0297(2) A Communication by Mayor Shirley Franklin appointing **Dr. Ben A. Blackburn**, to serve as a member of the Civilian 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, 2/25/03)**

[03C0298\(3\)](#) A Communication by Councilmembers Natalyn M. Archibong, Howard Shook, Mary Norwood, Anne Fauver and Clair Muller appointing **Mr. Stephen Brodie**, to serve as a member of the Human Relations Commission. This appointment is for a term of three (3) years, scheduled to begin on the date of Council confirmation.

MEMBERS PRESENT:

CITY UTILITIES COMMITTEE CLAIR MULLER, CHAIR

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)**

[02O0964\(2\)](#) An Ordinance by Councilmember Clair Muller **as substituted #2 by City Utilities Committee** to amend the City of Atlanta Code of Ordinances by establishing and adopting a new Article IX of Chapter 74 entitled "Post-Development Stormwater Management for New Development and Redevelopment"; and for other purposes. **(Referred back by Council 6/3/02) (Substitute and held 2/25/03)**

[02O1295\(3\)](#) 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)**

[02R1536\(4\)](#) 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\(5\)](#) 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\(6\)](#) 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)**

CITY UTILITIES COMMITTEE (2) CLAIR MULLER, CHAIR

PAPERS HELD IN COMMITTEE (CONT'D)

[02O1873\(7\)](#) 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)**

[02O1897\(8\)](#) 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\(9\)](#) 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\(10\)](#) 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)**

[02R2005\(11\)](#) 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)**

[02O2087\(12\)](#) 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)**

CITY UTILITIES COMMITTEE (3) CLAIR MULLER, CHAIR

PAPERS HELD IN COMMITTEE (CONT'D)

[02O2090\(13\)](#) An Ordinance by Councilmember Clair Muller **as substituted by City Utilities Committee** 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. **(Public Hearing held 12/10/02) (Substituted and held 12/10/02)**

[03O0186\(14\)](#) An Ordinance by Councilmember C. T. Martin to **abandon** Harden Drive, SW in its entirety said being approximately 1.12406 acres property located in Land Lot 242, 14th District, Fulton County, Georgia; and for other purposes. **(Held 2/11/02) (To be advertised for a Public Hearing 00/00/03)**

[03R0320\(15\)](#) A Resolution by City Utilities Committee establishing the compensation limits for Montgomery Watson/Khafra-JV, for Contract FC-7093-99, Program Management Services for the Atlanta Wastewater System Improvements, during the third year of the term from April 1, 2003 to March 31, 2004, pursuant to the amended terms and conditions of the Contract incorporated hereto, in an amount not to exceed \$22,000,000.00 to be charged to and paid from Fund, Account and Center Number: 2J27 524001 T31001. **(Held 2/25/03)**

MEMBERS PRESENT: MULLER, SHOOK, YOUNG, SMITH, WINSLOW & MADDOX

COMMUNITY DEVELOPMENT/HUMAN

RESOURCES COMMITTEE DEBI STARNES, CHAIR

RESOLUTION

[03R0319\(1\)](#) An **Amended** Resolution by Community Development/Human Resources Committee to designate Atlanta Neighborhood Development Partnership (ANDP) to form a Coordinating Responsible Authority (CoRA) of Atlanta's Renewal Community; to designate ANDP as the entity to manage the remaining Title XX Grant Funds pursuant to Federal, State and City Rules and Regulations; to authorize the Mayor to negotiate a Management Agreement with ANDP to manage such remaining Grant Funds; to authorize the Mayor to terminate the Cooperative Endeavor Agreement with the Atlanta Empowerment Zone Corporation (AEZC); to rescind conflicting resolutions and contracts; and for other purposes.

FAVORABLE AS AMENDED 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)**

[02O2101\(2\)](#) 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. **(Held 11/26/02 at the request of the author of the paper)**

[02R0597\(3\)](#) A **Substitute** Resolution by Community Development/Human Resources Committee amending the Mechanicsville Urban Redevelopment Section 108 Project by amending the Work Program and Line Item Budget; authorizing the Mayor to submit to the U.S. Department of Housing and Urban Development Amendment #1 to the Mechanicsville 108 Loan Guarantee Application; and for other purposes. **(Held 4/09/02) (Substituted and held 2/11/03 for a 30-day public review period)**

COMMUNITY DEVELOPMENT/ (2) DEBI STARNES, CHAIR

HUMAN RESOURCES COMMITTEE

PAPERS HELD IN COMMITTEE (CONT'D)

[03O0045\(4\)](#) An Ordinance by Councilmember Clair Muller to amend Section 138-204 of the Outdoor Festival Code for the City of Atlanta to require compliance with the Noise Control Code of the City of Atlanta; and for other purposes. **(Held 1/14/03 at the request of the author of the paper to further review the current Noise Ordinance.)**

[03R0190\(5\)](#) A Resolution by Council members Debi Starnes and Ivory Lee Young, Jr. approving the Greater Home Park Master Plan located within part of Council Districts Two and Three and NPU-E; and for other purposes. **(Held 2/11/03) (Advertised for a Public Hearing 3/10/03)**

[03O0305\(6\)](#) An Ordinance by Councilmembers Howard Shook and Anne Fauver to amend the 2003 Comprehensive Development Plan (CDP) so as to add a new Land Use Policy for NPU-E relating to the protection of the Armour Drive Industrial District. **(Held 2/25/03) (Advertised for a Public Hearing 3/10/03)**

[03O0316\(7\)](#) An Ordinance by Councilmember Felicia A. Moore to amend

CDP-03-03 the Land Use Element of the City of Atlanta 2003 Comprehensive Development Plan (CDP) so as to re-designate property that is located at the **Perry Homes Redevelopment Area**, from the "Medium Density Residential" Land Use Designation to the "Mixed Use" Land Use Designation; and for other purposes. **(Held 2/25/03) (Advertised for a Public Hearing 3/10/03)**

NPU-G Council District 9

[03O0315\(8\)](#) An Ordinance by Councilmember Felicia A. Moore to amend

CDP-03-05 the Land Use Element of the City of Atlanta 2003 Comprehensive Development Plan (CDP) so as to re-designate property located at **2000 Bolton Road, NW**, from the "Industrial" and "Single Family Residential" Land Use Designations to the "Low Density Residential" Land Use Designation; and for other purposes. **(Held 2/25/03) (Advertised for a Public Hearing 3/10/03)**

NPU-D Council District 9

COMMUNITY DEVELOPMENT/ (3) DEBI STARNES, CHAIR

HUMAN RESOURCES COMMITTEE

PAPERS HELD IN COMMITTEE (CONT'D)

03R0220(9) A Resolution by Community Development/Human Resources Committee authorizing the Mayor to enter into various Contractual Agreements for the implementation of projects under the 2003 Community Development Block Grant (CDBG), and the 2003 Housing Opportunities for Persons with AIDS (HOPWA) Programs; and for other purposes. **(Held 2/25/03)**

MEMBERS PRESENT: STARNES, BOAZMAN, SHOOK, FAUVER, WINSLOW & NORWOOD

PUBLIC SAFETY AND LEGAL

ADMINISTRATION COMMITTEE CEASAR C. MITCHELL, CHAIR

RESOLUTION

03R0192(1) A Resolution by Councilmembers Clair Muller, Clela Winslow, Howard Shook and Natalyn Archibong **as substituted by Public Safety and Legal Administration Committee** authorizing the Mayor to execute, on behalf of the City, a Mutual Dissolution Agreement with United Water Services Unlimited Atlanta LLC, United Water Resources, Inc. and Onedo North America, Inc. F/K/A Lyonnaise American Holding, Inc. concerning the settlement of certain financial claims among the parties existing prior to January 1, 2003, under a Twenty-Year Operations and Maintenance Agreement of System, and the amicable dissolution of their partnership under the O & M Agreement and the orderly transition of the Operation and Maintenance of the System and certain employees of United Water Services Unlimited Atlanta LLC to the City; authorizing the City to accept certain settlement payments from United Water Services Unlimited Atlanta LLC, to compensate United Water Services Unlimited Atlanta LLC for certain additional work scope items associated with the dissolution and to pay third-parties certain monies in connection with the dissolution; and for other purpose.

FORWARDED ON SUBSTITUTE WITH NO RECOMMENDATION

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) (Amended and 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)**

PUBLIC SAFETY AND LEGAL (2)

ADMINISTRATION COMMITTEE CEASAR C. MITCHELL, CHAIR

PAPERS HELD IN COMMITTEE (CONT'D)

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)**

02R1840(4) 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)**

03R0020(5) Claim of **Monesia Youngblood and John Arnold, parents and legal guardian of Corey Ward, deceased, through their attorney, Shean D. Williams**, for damages alleged to have been sustained as a result of the wrongful death of the claimant's son on July 14, 2002 at 3215 Peachtree Road, NE. **(Held 1/14/03)**

03O0106(6) An Ordinance by Councilmember Derrick Boazman amending the City of Atlanta's Code of Ordinances Section 2-407 Outside Counsel; and for other purposes. **(Held 1/28/03)**

03O0119(7) An Ordinance by Councilmembers Clair Muller, Howard Shook and Anne Fauver to amend Article IV, Section 74 of the City of Atlanta Code of Ordinances, to provide for a more effective means of enforcing the provisions of the Noise Control Code; and for other purposes. **(Held 1/28/03)**

03O0312(8) An Ordinance by Councilmember Ivory Lee Young, Jr. to amend Section 10-94(a) of the Code of Ordinances of the City of Atlanta by adding a new subparagraph (6) to exempt certain properties from the distance requirements for sale for consumption on premises; and for other purposes. **(Held 2/25/03)**

MEMBERS PRESENT: MITCHELL, MARTIN, WINSLOW, WILLIS, YOUNG, FAUVER & NORWOOD

FINANCE/EXECUTIVE COMMITTEE FELICIA A. MOORE, CHAIR

ORDINANCES FOR SECOND READING

03O0214(1) An Ordinance by Finance/Executive Committee to amend the Code of Ordinances, City of Atlanta, Georgia, Chapter 114 (Personnel), Article IV, (Civil Service), Division 14 (Attendance and Leave), Section 114-423 (Compensatory Time), Subsection A: in order to provide certain departments the flexibility to substitute compensatory time for paid overtime; and for other purposes.

FILE

03O0225(2) An Ordinance by Finance/Executive Committee to amend Article IV, Section 114-44 of the Code of Ordinances of the City of Atlanta so as to authorize the granting of two (2) personal leave days for employees of the City of Atlanta; and for other purposes.

FILE (5 YEA'S) (1 NAY)

03O0306(3) An Ordinance by Councilmember Jim Maddox **as amended by Finance/Executive Committee** to amend the Code of Ordinances, City of Atlanta, Georgia, Chapter 114 (Personnel), Article IV (Civil Service), Division 14 (Attendance and Leave), Section 114-423 (Compensatory Time), Subsection A: in order to provide certain departments the flexibility to substitute compensatory time for paid overtime for calendar year 2003 only; and for other purposes.

FORWARDED AS AMENDED WITH NO RECOMMENDATION (2 YEA'S) (2 NAY'S) (1 ABSTENTION)

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

DUE TO A LACK OF A QUORUM, NO ACTION WAS TAKEN ON THE FOLLOWING ITEMS. THE COMMITTEE WILL MEET ON MONDAY, MARCH 3, 2003 AT 10:00 A.M.

ORDINANCES FOR SECOND READING

[03O0310\(1\)](#) An Ordinance by Councilmember C. T. Martin to provide 40 additional hours of compensatory time for employees furloughed in the 2002 Budget; and for other purposes.

[03O0318\(2\)](#) An Ordinance by Councilmember C. T. Martin to allow for the recognition of the Professional Association of City Employees of Atlanta (P.A.C.E. Atlanta) and to allow for the processing of dues check-off; and for other purposes.

RESOLUTIONS

[03R0215\(1\)](#) A Resolution by Finance/Executive Committee authorizing the Mayor or her designee to enter into an Intergovernmental Agreement with Georgia Technology Authority, in an amount not to exceed \$12,000.00 per year, to provide kiosks at various locations in Georgia that will provide electronic transportation information to individuals transiting Hartsfield Atlanta International Airport. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2H01 523001 R12006.

[03R0217\(2\)](#) A Resolution by Finance/Executive Committee imposing a \$1.50 surcharge upon each wireless telecommunication connection subscribed to telephone subscribers whose billing address is within the City of Atlanta pursuant to the authorization granted in Sections 46-5-133 and 46-5-134 of the Official Code of Georgia; and for other purposes.

[03R0218\(3\)](#) A Resolution by Finance/ Executive Committee authorizing refunds for the overpayment of Business License Fees to Inflow, Inc. #086107LGB, in the amount of \$8,478.51; and for other purposes.

[03R0223\(4\)](#) A Resolution by Finance/Executive Committee authorizing the Mayor or her designee to amend the Master Lease Agreement with MetroPCS Georgia, Inc., to add 7780 Jett Ferry Rd., to the Master Site Lease and to co-locate on the Jett Ferry Water Tank certain antennas and communications equipment on the leased space. All revenue generated plus escalations as called for in the Master Lease Agreement shall be deposited into the appropriate Fund, Account and Center Number; and for other purposes.

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

RESOLUTIONS (CONT'D)

[03R0236\(5\)](#) A Resolution by Finance/Executive Committee authorizing the Mayor to execute an appropriate contractual agreement with Casey Tree Experts, Inc. for FC-7416-01, Approach Clearance and Landscape Safety Project on behalf of the Department of Aviation in an amount not to exceed \$446,740.00. All contracted work shall be charged to and paid from Fund, Account and Center Numbers: 2H26 574001 R21E052096AA and 2H21 574001 R21E01259999.

[03R0288\(6\)](#) A Resolution by Finance/Executive Committee authorizing the Purchasing Agent to utilize the State of Georgia Contract 92-00151 with Logical Choice Technologies for the purchase of six Ciscoworks Switches on behalf of the Department of Aviation in an amount not to exceed \$30,163.00, all contracted work shall be charged to and paid from Fund, Account and Center Number: 2H01 521106 R12006.

[03R0289\(7\)](#) A Resolution by Finance/Executive Committee authorizing the Purchasing Agent to utilize the U S. Federal Contract GS-07F-0114M with National Institute for Truth Verification for the purchase of five Computer Voice Stress Analyzers and associated training on behalf of the Department of Police in an amount not to exceed \$66,175.00, all contracted work shall be charged to and paid from Fund, Account and Center Number: 3P02 575001

X11W02AK99982H01.

[03R0290\(8\)](#) A Resolution by Finance/Executive Committee authorizing the Purchasing Agent to utilize the State of Georgia Contract 92-00151 with Cisco Systems, Inc. for the purchase of five Dell Poweredge Servers on behalf of the Department of Aviation in an amount not to exceed \$35,379.00, all contracted work shall be charged to and paid from Fund, Account and Center Number: 2H21 575001 R12006.

PAPERS HELD IN COMMITTEE

[02O0083\(1\)](#) 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)**

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

PAPERS HELD IN COMMITTEE (CONT'D)

[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)**

[02R1488\(3\)](#) 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)**

[02O1887\(4\)](#) 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) (Substituted, held and referred to Pension Board 1/15/03)(Substituted and held, 2/12/03)**

[02O1963\(5\)](#) 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)**

[03O0042\(6\)](#) An Ordinance by Councilmember Debi Starnes as substituted by Finance/Executive Committee to amend the Pension Acts applicable to members of the General Employees Pension Fund of the City of Atlanta, so as to provide for a Retirement Program for employees involuntarily separated to balance the City of Atlanta 2002 and 2003 Budgets and for the reorganization of the workforce; and for other purposes. **(Substituted and referred to Pension Board 1/15/03)**

FINANCE/EXECUTIVE COMMITTEE (5) FELICIA A. MOORE, CHAIR

PAPERS HELD IN COMMITTEE (CONT'D)

[03O0104\(7\)](#) An Ordinance by Councilmember Derrick Boazman to amend Part II Code of Ordinances Procurement

and Real Estate Code Division 4, Sole Source Selection and Contract Formation, prohibiting the assignment of sole source contracts to any entity other than the original sole source awardee; and for other purposes. **(Held 1/29/03)**

03O0107(8) An Ordinance by Councilmembers Felicia A. Moore, Derrick Boazman and Ceasar C. Mitchell to amend the 2003 Budget so as to restore the salary increments for all City of Atlanta employees; and for other purposes. **(Held 1/29/03)**

03O0117(9) An Ordinance by Councilmember C. T. Martin to amend Section 6-366(c), 1978 Pension Act, Part of the Related Law Section (1978 Pension Act) of the Charter and the Code of Ordinances of the City of Atlanta so as to increase the multiplier from 2% to 3% for all the creditable years for sworn members of the Fire Pension Fund; and for other purposes. **(Held 1/29/03, Referred to Pension Board)**

03O0193(10) An Ordinance by Councilmembers Clair Muller, Howard Shook, Cleta Winslow, Natalyn Archibong and Carla Smith to amend the General Employee Pension Laws of the City of Atlanta (Georgia Laws 1927, P. 265, particularly as amended by Georgia Laws 1978, P. 4546) so as to restore pension rights to former City of Atlanta Water Department Employees who were separated from the City in good standing due to contract management; to grant to said employees credit for years of service or fractions thereof with United Water Services Atlanta; and for other purposes. **(Held, 2/12/03, Referred to Pension Board)**

03O0194(11) An Ordinance by Councilmember Clair Muller confirming the application of Development Impact Fees to be paid in connection with the two ordinances granting Site Plan Amendments for property located at 3060 Peachtree Road, N.W. such that said Development Impact Fees will fund the partial cost of public facilities improvements in the immediate vicinity associated with said Site Plan Amendments; and for other purposes. **(Held, 2/12/03)**

FINANCE/EXECUTIVE COMMITTEE (6) FELICIA A. MOORE, CHAIR

PAPERS HELD IN COMMITTEE (CONT'D)

03O0311(12) An Ordinance by Councilmember Ivory Lee Young to authorize acquisition of temporary and permanent easements, fee simple and other related property interests necessary for construction of the Sewer Infrastructure Improvement Project described in Exhibit "A" attached hereto; to authorize the Mayor and Chief Financial Officer to negotiate with affected property owners to acquire property on a voluntary basis for a period of not less than six (6) months, provided, however, that after such time the Mayor and Chief Financial Officer shall be authorized to use all means necessary to acquire necessary fee simple and easement and other related property interests, up to and including condemnation proceedings; to waive provisions of the City of Atlanta Code of Ordinances regarding procurement and real estate acquisitions and further authorization of Council for condemnation proceedings; to authorize acquisition of said property in accordance with the Georgia Relocation Assistance and Land Acquisition Policy Act and Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act and, as applicable, Georgia Emergency Management Agency ("GEMA") and Federal Emergency Management Act Guidelines; to authorize the City Attorney, or her designee to institute condemnation proceedings pursuant to the Declaration of Taking Method authorized by Title 22 of the Official Code of Georgia Annotated; to acquire title to said fee simple, easement and other related property interests necessary to complete the Infrastructure Improvement Project; to authorize the City Attorney to use the services of outside counsel, where necessary, to handle condemnation cases; and for other purposes. **(Held for Two Weeks Certain, 2/26/03) (Work Session Scheduled for Tuesday, March 4, 2:00 P.M.)**

03O0313(13) An Ordinance by Councilmember Felicia A. Moore to amend the Pension Laws applicable to firefighters 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 Firefighters 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, Referred to Pension Board, 2/26/03)**

FINANCE/EXECUTIVE COMMITTEE (7) FELICIA A. MOORE, CHAIR

PAPERS HELD IN COMMITTEE (CONT'D)

03O0314(14) An Ordinance by Councilmember Felicia A. Moore to amend the Pension Laws applicable to general employees of the City of Atlanta so as to increase the monthly pension benefit of general employees where a determination has been made by the Board of Trustees of the General Employees Pension Fund that a current employee 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, Referred to Pension Board, 2/26/03)**

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

Questions or Comments for City Council
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Webmaster

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