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# **ATLANTA CITY COUNCIL**

## **AGENDA**

### **May 5, 2003**

Order of Business for the Atlanta City Council

**Monday, May 5, 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**

Committee on Council\*\* Carla Smith 19

City Utilities Committee Clair Muller 20

Community Development/Human

Resources Committee Debi Starnes 28

Public Safety and Legal

Administration Committee Ceasar C. Mitchell 33

Finance/Executive Committee Felicia A. Moore 37

Transportation Committee\* H. Lamar Willis 42

Zoning Committee Ivory Lee Young, Jr. 44

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**

##### CITY UTILITIES COMMITTEE - HOWARD SHOOK, VICE-CHAIR

**03O0449(1)** An Ordinance by Councilmember Anne Fauver **as amended by City Utilities** Committee authorizing the Mayor or her designee to rename Lombardy Way, NE in its entirety to Arts Center Way, NE; and for other purposes. **(Public Hearing held 4/01/03)**

**03O0654(2)** An Ordinance by Councilmember Debi Starnes to approve the City of Atlanta's participation in the

“Downtown Atlanta Home Banner” Program; to authorize the Mayor or her designee the Commissioner of Public Works to enter into an agreement with the Downtown Atlanta Community Improvement District relating to such program; to waive conflicting ordinances; and for other purposes.

[03O0657\(3\)](#) An Ordinance by Councilmember C. T. Martin authorizing the Commissioner of Public Works, on behalf of the Mayor, to waive paragraphs four (4) and six (6) of Section 138-60 of the Code of Ordinances of the City of Atlanta, for the issuance of a Banner Permit to the Martin Luther King, Jr. Drive Community Development Corporation; and for other purposes.

[03O0664\(4\)](#) An Ordinance by Councilmembers Natalyn Mosby Archibong and Carla Smith to exchange certain areas of existing public right-of-way and accept the dedication of replacement right-of-way to allow the relocation of Glenwood-Wylie Connector, SE, at the intersection of Glenwood Avenue (Land Lots 12 and 21 of the 14<sup>th</sup> District of Fulton County) necessitated by the realignment of said roadway for intersection improvements; and for other purposes.

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

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

#### **CITY UTILITIES COMMITTEE - HOWARD SHOOK, VICE-CHAIR**

[03O0673\(5\)](#) An Ordinance by Councilmember Debi Starnes authorizing the Commissioner of Public Works, on behalf of the Mayor, to waive paragraph four (4) of Section 138-60 of the Code of Ordinances of the City of Atlanta, for the issuance of a Banner Permit to Big Bethel Methodist Church; and for other purposes.

[03O0674\(6\)](#) An Ordinance by Councilmember Debi Starnes authorizing the Commissioner of Public Works, on behalf of the Mayor, to waive paragraph seven (7) of Section 138-60 of the Code of Ordinances of the City of Atlanta, for the issuance of a Banner Permit to America's Mart; and for other purposes.

[03O0675\(7\)](#) An Ordinance by Councilmember Debi Starnes authorizing the Commissioner of Public Works, on behalf of the Mayor, to waive paragraph seven (7) of Section 138-60 of the Code of Ordinances of the City of Atlanta, for the issuance of a Banner Permit to America's Mart; and for other purposes.

[03O0676\(8\)](#) An Ordinance by Councilmember Debi Starnes authorizing the Commissioner of Public Works, on behalf of the Mayor, to waive paragraphs four (4) and seven (7) of Section 138-60 of the Code of Ordinances of the City of Atlanta, for the issuance of a Banner Permit to the Atlanta Falcons; and for other purposes.

## **COMMUNITY DEVELOPMENT/HUMAN**

### **RESOURCES COMMITTEE - DEBI STARNES, CHAIR**

[03O0548\(9\)](#) A **Substitute** Ordinance by Community Development/Human Resources Committee authorizing the Mayor or her designee to purchase property from the Trust for Public Land located adjacent to existing Southside Park in the City of Atlanta on behalf of the Department of Parks, Recreation and Cultural Affairs, whereas the total cost of acquisition to the City is \$374,031.00 for the purposes set forth in the City of Atlanta Community Greenspace Program; authorizing the payment of associated costs; and for other purposes.

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

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

#### **COMMUNITY DEVELOPMENT/HUMAN**

### **RESOURCES COMMITTEE - DEBI STARNES, CHAIR**

[03O0666\(10\)](#) An Ordinance by Councilmember Natalyn Archibong **as substituted by Community Development/Human Resources Committee** authorizing the Mayor or her designee to purchase property from the Trust for Public Land located in the Kirkwood Neighborhood in the City of Atlanta on behalf of the Department of Parks, Recreation, and Cultural Affairs, whereas the total cost of acquisition to the City is \$502,004.60 for the purposes set forth in the City of Atlanta Community Greenspace Program; authorizing the payment of associated costs; and for other purposes.

[03O0672\(11\)](#) An Ordinance by Councilmember Debi Starnes to utilize the Trolley Barn, without fee, as one of the 12 days reserved for exclusive use by the City, or other governmental agencies pursuant to the agreement between the City and the Atlanta Edgewood Street Railway Company; and for other purposes.

[03O0652\(12\)](#) An Ordinance by Councilmember Cleta Winslow authorizing the Mayor to execute a Cooperation Agreement by and among the City of Atlanta, Fulton County and the Housing Authority of the City of Atlanta, Georgia pertaining to the terms, conditions, duties and responsibilities of the parties with respect to the development and management of the New Community at Harris Homes, a Mixed Income Housing Community; and for other purposes.

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

[03O0107\(13\)](#) An Ordinance by Councilmembers Felicia A. Moore, Derrick Boazman and Ceasar C. Mitchell **as substituted by Finance/Executive Committee** to amend the 2003 Budget so as to restore the salary increments for all City of Atlanta employees; and for other purposes.

[03O0495\(14\)](#) An Ordinance by Finance/ Executive Committee to amend Part 2, Division 3, Sections 2-1161(a), 2-1161(b), and 2-1165 of the Procurement and Real Estate Code of the City of Atlanta regarding the right to protest, the authority of the Chief Procurement Officer to resolve protests, and the authority of Procurement Appeals Hearing Officers; and for other purposes.

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

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

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

[03O0540\(15\)](#) An Ordinance by Finance/ Executive Committee to authorize the Mayor to enter into an Intergovernmental Agreement with Dekalb County, Georgia and Dreadnought Development, LLC, consenting to the allocation of governmental services to be provided to property owned and developed by Dreadnought Development, LLC, which is located both in the City of Atlanta and Dekalb County which will traverse jurisdictional boundaries; and for other purposes.

[03O0567\(16\)](#) An Ordinance by Finance/ Executive Committee authorizing the Mayor to execute an Agreement for Planning Advisory Consultant Services with Michael A. Dobbins for a period not to exceed twelve months, and not to exceed \$56,250.00.

[03O0568\(17\)](#) An Ordinance by Finance/ Executive Committee amending the 2003 (Intergovernmental Grant Fund) Budget for the Department of Corrections by adding to anticipations and appropriations an amount of \$100,000.00 from the Fulton County Regional Board of Health for the purpose of continuing Clinical Assessment Services for criminal defendants participating in the Community Court Program; and for other purposes.

[03O0573\(18\)](#) An Ordinance by Finance/Executive Committee authorizing the Mayor or her designee to begin negotiations and settlement for acquisition of land in North Buckhead in the City of Atlanta, whereas the total price of acquisition is not to exceed \$425,000.00, for the purposes set forth in the City of Atlanta Community Greenspace Program; authorizing the use of condemnation proceedings for the targeted properties if necessary, authorizing the payment of associated costs; and for other purposes.

[03O0594\(19\)](#) An Ordinance by Finance/ Executive Committee amending the 2003 (Park Improvement Fund) Budget in the amount of \$463,784.88 to cover expenses owed to subcontractors for remediation efforts at D. L. Stanton Park; and for other purposes.

## CONSENT AGENDA SECTION I (CONT'D)

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

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

[03O0661\(20\)](#) An Ordinance by Councilmember Anne Fauver **as substituted by Finance/Executive Committee** amending the Quality of Life Bond to include a Project and to transfer funding between Project Centers within Category 1 Sidewalks; and for other purposes.

[03O0680\(21\)](#) An Ordinance by Councilmember Carla Smith **as substituted by Finance/Executive Committee** authorizing the Mayor or her designee to begin negotiations and settlement of acquisition of Land in the Summerhill Neighborhood in the City of Atlanta, whereas the total price of acquisition is not to exceed \$225,000.00, for the purposes set forth in the City of Atlanta Community Greenspace Program; authorizing the payment of associated costs; and for other purposes.

#### TRANSPORTATION COMMITTEE - FELICIA A. MOORE, VICE-CHAIR

[03O0435\(22\)](#) An Ordinance by Transportation Committee authorizing the Mayor, on behalf of the City of Atlanta, to execute an amendment to an avigation easement and restrictive covenants regarding land previously purchased by the City of Atlanta as part of the Hartsfield Atlanta International Airport Noise Abatement Program, and later sold to the College Park Business and Industrial Development Authority, and to execute an amendment to an avigation easement and restrictive covenants regarding additional land located in close proximity to Hartsfield Atlanta International Airport, such that the land may be used for residential purposes; authorizing the Mayor to execute an agreement regarding such change of avigation easements and restrictive covenants; and for other purposes. **(Referred back by Council 4/21/03)**

## CONSENT AGENDA SECTION I (CONT'D)

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

#### TRANSPORTATION COMMITTEE - FELICIA A. MOORE, VICE-CHAIR

[03O0547\(23\)](#) A **Substitute** Ordinance by Transportation Committee authorizing the Mayor to accept two grants from the Atlanta Regional Commission to conduct project design work for the Greenbriar and the West End Livable Centers Initiative (LCI) Projects; and authorizing the Mayor to sign a grant agreement of each design study; and authorizing the Mayor to enter into an agreement with Central Atlanta Progress for an amount not to exceed \$20,000.00 for the Center City LCI Project; and increasing the estimated receipts in the 2003 (Intergovernmental Grant Fund) by \$142,625.00; and for other purposes.

## RESOLUTIONS

#### CITY UTILITIES COMMITTEE - HOWARD SHOOK, VICE-CHAIR

[03R0596\( 1\)](#) A Resolution by City Utilities Committee authorizing the Mayor or her designee to install a sewer connection to serve property located at 1757 Flat Shoals Road as requested by the property owner.

[03R0597\( 2\)](#) A Resolution by City Utilities Committee authorizing the Mayor or her designee to install a sewer connection to serve property located at 1753 Flat Shoals Road as requested by the property owner.

03R0599(3) An **Amended** Resolution by City Utilities Committee authorizing the Mayor or designee to issue a **Notice to Proceed** with Jordan, Jones and Goulding, Inc./Engineering Design Technologies, Inc., - JV for FC-6710-96D Annual Contract for Architectural and Engineering Services to provide full scale testing of City Water Reclamation Centers on behalf of the Department of Watershed Management in an amount not to exceed \$377,698.00. All contracted work shall be charged to and paid from the following Fund, Account and Center Number: 2J21 524001 Q37201.

## CONSENT AGENDA SECTION I (CONT'D)

### RESOLUTIONS (CONT'D)

#### COMMUNITY DEVELOPMENT/HUMAN

##### RESOURCES COMMITTEE - DEBI STARNES, CHAIR

03R0603(4) A Resolution by Community Development/Human Resources Committee to rescind Resolution 03R0081 in its entirety and to authorize the Mayor to execute an appropriate contractual agreement for FC-7533-02-A, Landscape Architectural/Engineering Design Services for streetscape and trails with Altamira Design and Common Sense, Inc.; to provide design services for various Streetscape Projects in an amount not to exceed \$243,175.00; for Lakewood Heights Streetscape, \$70,200.00; Cheshire Bridge Road Streetscape, \$78,425.00; and Metropolitan Parkway Streetscape Phase II, \$94,550.00, on behalf of the Department of Planning, Development and Neighborhood Conservation. All contracted work shall be paid from and charged to Fund, Account and Center Numbers: 1C28 524001 M23F05119985 (\$78,425.00); 1C28 524001 M23F05019985 (\$70,200.00) 1C28 524001 M23F03859985 (\$94,550.00).

03R0604(5) A Resolution by Community Development/Human Resources Committee certifying to the operation of the Revolving Loan Fund (RLF), EDA Project Number 04#-3904038 by the City of Atlanta; and for other purposes.

03R0605(6) A Resolution by Community Development/Human Resources Committee authorizing the Mayor to enter into an appropriate contractual agreement with Shaheed Construction Company, Inc. for FC-7469-02, Gilbert House Restoration, on behalf of the Department of Parks, Recreation and Cultural Affairs in an amount not to exceed \$153,921.00. All contracted work shall be charged to and paid from Fund, Account and Center Numbers:

1B01 529002 N12D09A1A21A-\$131,300.00;

1B01 529002 N12D09A1A58A-\$19,999.99;

1B01 529002 N12D09A1A59A-\$2,621.01.

03R0607(7) A Resolution by Community Development/Human Resources Committee authorizing the Mayor to apply for and accept a grant in the amount of \$750,000.00 under the U.S. Department of Housing and Urban Development's Economic Development Initiative (EDI) for the development of the Martin Luther King, Sr. Community Center; and for other purposes.

## CONSENT AGENDA SECTION I (CONT'D)

### RESOLUTIONS (CONT'D)

#### PUBLIC SAFETY AND LEGAL

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

[03R0366\(8\)](#) A **Substitute** Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to amend FC-7096-99, Wrecker Services for vehicles under two (2) tons, with Hi Class Towing, Inc., for Zones 1, 2 and 5; to include Zones 3, 4, 6 and 7 on behalf of the Atlanta Police; and to establish certain fees. All revenues generated under this contract agreement shall be deposited to Fund, Account and Center Numbers: Towing 1A01 462316 B00001 and Sales Overages: 1A01 469101 B00001.

[03R0618\(9\)](#) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to enter into an appropriate lease renewal agreement with Wilgreen Development Corporation for 180 Memorial Drive on behalf of the Solicitor General, City Court of Atlanta. All contracted work under this agreement shall be charged to and paid from Fund, Account and Center Number 1B05 525001 S22001.

[03R0619\(10\)](#) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to execute an amendment with Robinson and Stephens, Inc. for FC-6777-97, Wrecker Services for vehicles under two (2) tons for Police Zone 3, for extension of the term thereof on a month-to-month basis until a new contract becomes effective; all terms and conditions shall remain the same. All revenues generated under this contract shall be deposited to Fund, Account and Center Number: 1A01 462316 B00001.

[03R0620\(11\)](#) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to execute an amendment with Buckhead Towing, Inc., for FC-6781-97, Wrecker Services for vehicles under two (2) tons for Police Zone 6, for extension of the term thereof on a month-to-month basis until a new contract becomes effective; all revenues generated under this contract shall be deposited to Fund, Account and Center Number: 1A01 462316 B00001.

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

### **RESOLUTIONS (CONT'D)**

#### **PUBLIC SAFETY AND LEGAL**

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

[03R0621\(12\)](#) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to execute an amendment with A-Tow Atlanta, Inc., for FC-6775-97 and FC-6779-97, Wrecker Services for vehicles under two (2) tons for Police Zones 1 and 5, for extension of the term thereof on a month-to-month basis until a new contract becomes effective; all terms and conditions shall remain the same. All revenues generated under this contract shall be deposited to Fund, Account and Center Number: 1A01 462316 B00001.

[03R0622\(13\)](#) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to execute an amendment with Futo's Inc., for FC-6776-97, Wrecker Services for vehicles under two (2) tons for Police Zone 2, for extension of the term thereof on a month-to-month basis until a new contract becomes effective; all terms and conditions shall remain the same. All revenues generated under this contract shall be deposited to Fund, Account and Center Number: 1A01 462316 B00001.

[03R0623\(14\)](#) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to execute an amendment with B & L Towing Services, Inc., for FC-6778-97 and FC-6782-97, Wrecker Services for vehicles under two (2) tons for Police Zone 4 and the Airport, for extension of the term thereof on a month-to-month basis until a new contract becomes effective; all terms and conditions shall remain the same. All revenues generated under this contract shall be deposited to Fund, Account and Center Number: 1A01 462316 B00001.

[03R0624\(15\)](#) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to apply for and accept Homeland Security funding from the Georgia Emergency Management Authority for equipment to enhance the response of the Atlanta Police Department to terrorist attacks; and for other purposes.

## CONSENT AGENDA SECTION I (CONT'D)

### RESOLUTIONS (CONT'D)

#### PUBLIC SAFETY AND LEGAL

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

[03R0625\(16\)](#) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to renew a Lease Agreement with Puritan Mill, LLC, for the rental of 9,619 square feet of office space located at Puritan Mill, 950 Lowery Boulevard, Atlanta, Georgia, for the Police Office of Professional Standards from June 1, 2003, until May 31 2004, in the amount not to exceed \$137,167.00 a year, to be charged to and paid from Account Number 1A01 525001 X42005.

[03R0626\(17\)](#) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to renew a Lease Agreement with Q. P. Jones, for the rental of 2,500 square feet of office space located at 247 Auburn Avenue, Atlanta, Georgia, for the Department of Police Zone Five Auburn Avenue Mini-Precinct, from June 1, 2003, until May 31, 2004, in the amount not to exceed \$19,326.12 a year, to be charged and paid from Account Number 1A01 525001 X42005.

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

[03R0606\(18\)](#) A **Substitute** Resolution by Finance/ Executive Committee authorizing the Mayor to enter into an appropriate Renewal Agreement Number One with Caduceus Occupational Medicine for FC-7155-99 Pre-Employment Physical/Drug Testing, in an amount not to exceed \$293,600.00, on behalf of the Department of Human Resources. All contracted work under this agreement shall be charged to and paid from Fund, Account and Center Numbers: 1A01 524001 T31001.

[03R0609\(19\)](#) A Resolution by Finance / Executive Committee authorizing the Chief Procurement Officer to utilize the State of Georgia Contract S000534 with Corporate Environments for the purchase of fifteen (15) modular workstations, on behalf of the Department of Watershed Management, in an amount not to exceed \$79,054.44. All contracted work shall be charged to and paid from Fund, Account and Center Number 2J26 573001 M24AO1069999.

## CONSENT AGENDA SECTION I (CONT'D)

### RESOLUTIONS (CONT'D)

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

[03R0610\(20\)](#) An **Amended** Resolution by Finance/ Executive Committee authorizing the Mayor to execute a contractual agreement with Northrop Grumman Space and Mission Systems Corporation to upgrade the Geographic Information System of the Computer-Aided Dispatch System and to install a high precision map data set for the Phase II wireless E-911 System pursuant to City Code Section 2-1191; to reflect a name change from TRW Systems, Inc.'s successor-in- interest to Northrop Grumman Space and Mission Systems Corporation; in an amount not to exceed the sum of \$983,248.00; all costs to be paid from appropriate Fund, Account, and Center Numbers.

[03R0611\(21\)](#) A Resolution by Finance/ Executive Committee authorizing the Mayor or her designee to amend the Master Lease Agreement with SprintCom, Inc. to add the development of a Monopine/Tree Communication Facility located at 1053 Cascade Circle in Atlanta together with structures shown on the attached Site Plan for certain communications equipment to be located upon the leased space; and for other purposes; all revenue generated shall be deposited into Fund, Account, and Center Number: 3PO2 462101 N21D11B69999.



[03R0612\(22\)](#) A **Substitute** Resolution by Finance/Executive Committee **as amended** authorizing the Chief Procurement Officer to utilize the State of Georgia Contract SO00546-043 with Entre Business Technology Group for the purchase of six (6) Cisco Routers and computer accessories, on behalf of the Department of Aviation, in an amount not to exceed \$53,651.82. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2H21 575001 R12006.

[03R0613\(23\)](#) A Resolution by Finance/ Executive Committee authorizing the Chief Procurement Officer to utilize the State of Georgia Contract S000546-043 with Solarcom LLC, for the purchase of two (2) Catalyst 6500 24 Port 100FX, Twenty (20) 1000 Base LX/LH and one (1) 2 Port T3 Serial Port Adapter, on behalf of the Department of Aviation, in an amount not to exceed \$41,034.00. All contracted work shall be charged to and paid from Fund, Account and Center Number 2H21 575001 R12006.

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

### **RESOLUTIONS (CONT'D)**

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

[03R0614\(24\)](#) A Resolution by Finance/ Executive Committee authorizing the Chief Procurement Officer to utilize the State of Georgia Contract S000546-043 with Entre Business Technology Group for the purchase of Cisco Catalysts and Accessories, on behalf of the Department of Aviation, in an amount not exceed \$194,654.92. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2H21 575001 R12006.

[03R0615\(25\)](#) A **Substitute** Resolution by Finance/ Executive Committee authorizing the Mayor to approve Renewal Agreement No. 1 with Norred & Associates, Inc. FC-7348-01, Gate Guard Security Services at Hartsfield Atlanta International Airport, on behalf of the Department of Aviation in an amount not to exceed \$2,824,168.32, annually. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2H01 523001 R48001.

[03R0616\(26\)](#) A Resolution by Finance/ Executive Committee authorizing the Mayor to execute a Quitclaim Deed conveying parcels located in Land Lots 77 and 78 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 Multi Modal Passenger Terminal Facility, in addition to consenting to entry into and construction over any interest the City of Atlanta might have over property described later in this resolution, as well as authorizing the Mayor to execute a joint Quitclaim Deed with the Fulton County Recreation Authority for parcels located in Land Lots 77 and 78 of the 14th District of Fulton County, Georgia for the same purpose; and for other purposes.

[03R0629\(27\)](#) A **Substitute** Resolution by Finance/Executive Committee affirming the necessity of the \$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 (A) and 46-5-134(A)(2)(A) of the Official Code of Georgia Annotated; and for other purposes.

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

### **RESOLUTIONS (CONT'D)**

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

[03R0630\(28\)](#) An **Amended** Resolution by Finance/Executive Committee reaffirming the necessity of the \$1.50 monthly surcharge on telephone bills for the operation of the "911" System and directing Southern Bell, a BellSouth Company, and all of the telephone companies providing telephone service in the City of Atlanta, to continue collecting the surcharge for the period January 1, through December 31, 2003.

[03R0659\(29\)](#) A Resolution by Councilmember Jim Maddox authorizing the Mayor to accept a dedication on Fairburn Road at Tell Road from the Brock Design Group; and for other purposes.

[03R0694\(30\)](#) A Resolution by Finance/ Executive Committee authorizing the Municipal Clerk to place a public advertisement in a newspaper of general circulation, depicting the tax digest millage rate, tax levy and other information required per Section 48-5-32 of the O. C. G. A.

### **TRANSPORTATION COMMITTEE - FELICIA A. MOORE, VICE-CHAIR**

[03R0627\(31\)](#) A Resolution by Transportation Committee authorizing the Mayor to execute a Lease Agreement with Atlanta Coca Cola Bottling Company for FC-7516-02 Vending, Concessions at Hartsfield Atlanta International Airport.

### **PUBLIC SAFETY AND LEGAL**

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

#### **Claims with Favorable Recommendations:**

[03R0635\( 1\)](#) Claim of **Progressive Insurance Company as subrogee of Janie Miller**, for damages alleged to have been sustained from an automobile accident on November 19, 2002 at Argyle Drive, NW and Barrett Drive, NW. **\$1,142.72**

[03R0636\( 2\)](#) Claim of **Kenneth D. Root**, for damages alleged to have been sustained as a result of a vehicular accident on February 17, 2003 at Parkway Drive, NE and North Avenue, NE. **\$3,728.91**

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

#### **RESOLUTIONS (CONT'D)**

### **PUBLIC SAFETY AND LEGAL**

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

#### **Claims with Favorable Recommendations:**

[03R0637\( 3\)](#) Claim of **Maria Anne Gelderman**, for damages alleged to have been sustained as a result of vehicular damage due to a falling traffic cable on February 10, 2003 at 3037 Piedmont Road, NE. **\$2,575.83**

[03R0638\( 4\)](#) Claim of **Robert E. Purdue, through his attorney, Sean J. McIlhinney**, for damages alleged to have been sustained as a result of a sewer backup on February 22, 2002 at 2624 The Fontainebleau, SW. **\$2,942.65**

[03R0639\( 5\)](#) Claim of **Ok Sun Kim**, for damages alleged to have been sustained as a result of an automobile accident on February 15, 2003 at 2429 Fontainebleau Drive. **\$1,272.39**

[03R0640\( 6\)](#) Claim of **Clinton S. Tomasino**, for damages alleged to have been sustained as a result of driving over a metal plate that was improperly covering a sanitary sewer construction site on June 27, 2002 at West Peachtree Street, NE and 14<sup>th</sup> Street, NE. **\$735.99**

[03R0645\( 7\)](#) Claim of **Lebby R. Neal**, for damages alleged to have been sustained as a result of a sprinkler system that was damaged during a curb installation on July 23, 2001 at 2416 Woodward Way. **\$1,170.00**

#### **Claims with Unfavorable Recommendations:**

[03R0641\( 8\)](#) Claim of **Robert S. Robbins**, for damages alleged to have been sustained as a result of a dead tree

threatening the property located at 2922 Mabry Lane.

03R0642(9) Claim of **Michael J. Butler, through his insurance carrier, State Farm Insurance Companies**, for damages alleged to have been sustained as a result of vehicular damage due to an undisclosed event on September 7, 2002 at an undisclosed location.

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

### **RESOLUTIONS (CONT'D)**

#### **PUBLIC SAFETY AND LEGAL**

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

#### **Claims with Unfavorable Recommendations:**

03R0643(10) Claim of **Kemper Insurance Company, through its agent, Credit Collection Services**, for damages alleged to have been sustained as a result of an undisclosed event on an undisclosed date at an undisclosed location.

03R0644(11) Claim of **Calvin Gooch**, for damages alleged to have been sustained as a result of an object being thrown on the hood of an automobile by Police during an arrest on April 17, 2003 at North Avenue, NW and English Avenue, NW.

03R0646(12) Claim of **Felcor Lodging Limited Partnership, through its attorney, Ronald L. Reid**, for damages alleged to have been sustained as a result of the City's interference with a lease agreement with the College Park Business and Industrial Development Authority for property located at 1900 Sullivan Road, College Park.

## **CONSENT AGENDA SECTION II**

### **ORDINANCES FOR FIRST READING**

#### **COMMUNITY DEVELOPMENT/HUMAN**

#### **RESOURCES COMMITTEE - DEBI STARNES, CHAIR**

03O0600(1) An Ordinance by the Community Development/Human

**UEZ-03-04** Resources Committee to create the "Harris Homes Revitalization, Phases I & II, Housing Enterprise Zone", to be located at **920 Joseph E. Lowery Boulevard, SW. (f.k.a. Ashby Street, SW), a.k.a. 920 Sells Avenue, SW**; and for other purposes. **(Advertised for a Public Hearing 5/12/03)**

#### **NPU-T Council District 4**

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

03O0601(2) An Ordinance by Community Development/Human Resources Committee authorizing automobile expense reimbursement for various positions within the Department of Parks, Recreation and Cultural Affairs; and for other purposes.

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

03O0602(3) An Ordinance by Community Development/Human Resources Committee adopting the 2004 City of Atlanta Comprehensive Development Plan; and for other purposes. **(To be Advertised for a Public Hearing 6/30/03)**

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

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

**03O0617(4)** An Ordinance by Finance/ Executive Committee authorizing the Chief Financial Officer, to refund \$6,802.34 to Jamestown 19, LP, for overpayment of 2001 Sanitary Service Charges for property located at 3535 Peachtree Road, Parcel Identification Numbers 17004500002125, 17004500002126 and 17004500002129.

**TO BE REFERRED TO FINANCE/ EXECUTIVE COMMITTEE**

CONSENT AGENDA SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

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

**03O0632(5)** An Ordinance by Finance/ Executive Committee amending the 2003 (General Government Capital Outlay Fund) Budget, Department of Public Works by transferring between reserves the sum of \$1,041,964.00 for the purpose of funding traffic calming projects in the Peachtree Hills, Lindbergh and East Wesley Neighborhoods and to provide the local match requirement; and for other purposes.

**TO BE REFERRED TO FINANCE/ EXECUTIVE COMMITTEE**

**03O0633(6)** An Ordinance by Finance/Executive Committee directing the Chief Financial Officer to reimburse Carter & Associates and MARTA for the partial cost of public facilities improvements associated with the development located at 2424 Piedmont Road, NE and directing the Commissioner of the Department of Planning and Community Development to certify acceptance of the improvements as listed in the 2003 Comprehensive Development Plan (CDP) and 2003 Capital Improvement Program (CIP); and for other purposes.

**TO BE REFERRED TO FINANCE/ EXECUTIVE COMMITTEE**

**03O0634(7)** An Ordinance by Finance/Executive Committee anticipating and appropriating from Federal Highway Administration (FHWA) the total sum of \$2,834,400.00 as recommended from the Regional Transportation Improvement Program (TIP) FY 2003-2005 in the individual amounts of \$860,000.00 for Peachtree Hills, \$974,400.00 for Lindbergh Drive, and \$1,000,000.00 for East Wesley; and for other purposes.

**TO BE REFERRED TO FINANCE/ EXECUTIVE COMMITTEE**

CONSENT AGENDA SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

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

**03O0693(8)** An Ordinance by Finance/Executive Committee to amend Section 146-26 (b), (c), (d), (e) and (f) of the Code of Ordinances of the City of Atlanta so as to change the ad valorem tax rate of real and personal property for the general levy, debt levy, city parks levy, school operating levy, school debt levy and the special tax district levy; to provide that the tax rates established herein shall remain fixed each year until amended or repealed; to repeal conflicting laws; and for other purposes.

**TO BE REFERRED TO FINANCE/ EXECUTIVE COMMITTEE**

**TRANSPORTATION COMMITTEE - FELICIA A. MOORE, VICE-CHAIR**

**03O0628(9)** An Ordinance by Transportation Committee amending the 2003 (Airport Revenue Fund) Budget by

transferring to and from appropriations in the amount of \$900,315.00 to provide additional security officers to perform federally mandated security functions as outlined by the Transportation Security Administration (TSA).

## **TO BE REFERRED TO TRANSPORTATION COMMITTEE**

### **COMMITTEE ON COUNCIL CARLA SMITH, CHAIR**

#### **COMMUNICATIONS**

**03C0412(1)** A Communication by Councilmembers Jim Maddox, Derrick Boazman and H. Lamar Willis, appointing **Ms. Ivenue Love-Stanley, to fill the position of Land Developer for the Urban Design Commission.** This appointment is for a term of 3 years, scheduled to begin on the date of Council confirmation. **(Forward Without Recommendation by Community Development/Human Resources Committee, 3/11/03)**

**03C0682(2)** A Communication by Council President Cathy Woolard to appoint **Ms. Karen Elaine Webster to the Board of the Downtown Atlanta Community Improvement District and its associated Company Atlanta Downtown Improvement District, Inc.** Ms. Webster represents Underground Atlanta, a property owner in the District. Her appointment will expire January 2006.

#### **RESOLUTION**

**03R0696(1)** A Resolution by Committee on Council to reappoint **Ms. Nancy A. Boxill, to the Board of Commissioners of Fulton County to the Atlanta Development Authority (“ADA”) Board of Directors** for an additional four year term to expire April 2, 2007. **(Favorable by CD/HR Committee 4/29/03)**

#### **MEMBERS PRESENT:**

CITY UTILITIES COMMITTEE HOWARD SHOOK, VICE-CHAIR

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

**03O0458(1)** An Ordinance by Councilmember Clair Muller authorizing the Mayor to execute a Franchise Agreement with XO Georgia, Inc., a Washington Corporation, to provide 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 for this instance only; and for other purposes. **(3<sup>rd</sup> Reading, Final Adoption)**

#### **FORWARDED WITH NO RECOMMENDATION**

**03O0459(2)** An Ordinance by Councilmember Clair Muller authorizing the Mayor to execute a Franchise Agreement with Time Warner Telecom of Georgia, LP, a Delaware Limited Partnership, to provide telecommunications services using the 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 for this instance only; and for other purposes. **(3<sup>rd</sup> Reading, Final Adoption)**

#### **FORWARDED WITH NO RECOMMENDATION**

**03O0462(3)** An Ordinance by Councilmember Clair Muller authorizing the Mayor to execute a Franchise Agreement with Southern Telecom, Inc., a Delaware Corporation, providing telecommunications services using the 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 for this instance only; and for other purposes. **(3<sup>rd</sup> Reading, Final Adoption)**

#### **FORWARDED WITH NO RECOMMENDATION**

**03O0465(4)** An Ordinance by Councilmember Clair Muller authorizing the Mayor to execute a Franchise Agreement

with MetroMedia Fiber Network Services, Inc., a Delaware 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 for this instance only; and for other purposes. **(3<sup>rd</sup> Reading, Final Adoption)**

**FORWARDED WITH NO RECOMMENDATION**

**CITY UTILITIES COMMITTEE (2) HOWARD SHOOK, VICE-CHAIR**

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

**03O0466(5)** An Ordinance by Councilmember Clair Muller authorizing the Mayor to execute a Franchise Agreement with Metrex Corporation, 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 for this instance only; and for other purposes. **(3<sup>rd</sup> Reading, Final Adoption)**

**FORWARDED WITH NO RECOMMENDATION**

**03O0469(6)** An Ordinance by Councilmember Clair Muller authorizing the Mayor to execute a Franchise Agreement with Looking Glass Networks, Inc., a Delaware Corporation, providing telecommunication services using the 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 for this instance only; and for other purposes. **(3<sup>rd</sup> Reading, Final Adoption)**

**FORWARDED WITH NO RECOMMENDATION**

**03O0470(7)** An Ordinance by Councilmember Clair Muller authorizing the Mayor to execute a Franchise Agreement with Level 3 Communications LLC, a Delaware Limited Liability Company, to provide telecommunications services using the 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 for this instance only; and for other purposes. **(3<sup>rd</sup> Reading, Final Adoption)**

**FORWARDED WITH NO RECOMMENDATION**

**03O0472(8)** An Ordinance by Councilmember Clair Muller authorizing the Mayor to execute a Franchise Agreement with Epik Communications Incorporated, to provide telecommunications services using the 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 for this instance only; and for other purposes. **(3<sup>rd</sup> Reading, Final Adoption)**

**FORWARDED WITH NO RECOMMENDATION**

**CITY UTILITIES COMMITTEE (3) HOWARD SHOOK, VICE-CHAIR**

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

**03O0473(9)** An Ordinance by Councilmember Clair Muller authorizing the Mayor to execute a Franchise Agreement with Dominion Telecom, Inc., to provide 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 for this instance only; and for other purposes. **(3<sup>rd</sup> Reading, Final Adoption)**

**FORWARDED WITH NO RECOMMENDATION**

**03O0476(10)** An Ordinance by Councilmember Clair Muller authorizing the Mayor to execute a Franchise Agreement with Broadwing Telecommunications Services, Inc., to provide 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 for this instance only; and for other purposes. **(3<sup>rd</sup> Reading, Final Adoption)**

**FORWARDED WITH NO RECOMMENDATION**

**03O0478(11)** An Ordinance by Councilmember Clair Muller authorizing the Mayor to execute a Franchise Agreement with AGL Networks, to provide 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 for this instance only; and for other purposes. **(3<sup>rd</sup> Reading, Final Adoption)**

**FORWARDED WITH NO RECOMMENDATION**

**03O0479(12)** An Ordinance by Councilmember Clair Muller authorizing the Mayor to execute a Franchise Agreement with Adelpia Business Solutions of Georgia LLC, to provide 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 for this instance only; and for other purposes. **(3<sup>rd</sup> Reading, Final Adoption)**

**FORWARDED WITH NO RECOMMENDATION**

**CITY UTILITIES COMMITTEE (4) HOWARD SHOOK, VICE-CHAIR**

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

**03O0461(13)** An Ordinance by Councilmember Clair Muller authorizing the Mayor to execute a Right-of-Way Agreement with Sprint Communications Company, LP, to use a specific portion of the public right-of-way for limited telecommunications purposes not including telecommunications services, as defined in the Telecommunications Act of 1996 (47 U.S.C. Section 153 (46)) or Local Exchange Service; and for other purposes. **(3<sup>rd</sup> Reading, Final Adoption)**

**FORWARDED WITH NO RECOMMENDATION**

**03O0463(14)** An Ordinance by Councilmember Clair Muller authorizing the Mayor to execute a Franchise Agreement with Qwest Communications Corporation, to use a specific portion of the public right-of-way for limited telecommunications purposes not including telecommunications services, as defined in the Telecommunications Act of 1996 (47 U.S.C. Section 153 (46)) or Local Exchange Service; and for other purposes. **(3<sup>rd</sup> Reading, Final Adoption)**

**FORWARDED WITH NO RECOMMENDATION**

**03O0467(15)** An Ordinance by Councilmember Clair Muller authorizing the Mayor to execute a Right-of-Way Agreement with MCI Telecommunications Corporation, to use a specific portion of the public right-of-way for limited telecommunications purposes not including telecommunications services, as defined in the Telecommunications Act of 1996 (47 U.S.C. Section 153 (46)) or Local Exchange Service; and for other purposes. **(3<sup>rd</sup> Reading, Final Adoption)**

**FORWARDED WITH NO RECOMMENDATION**

**03O0468(16)** An Ordinance by Councilmember Clair Muller authorizing the Mayor to execute a Right-of-Way Agreement with MCIMetro Access Transmission Services, Inc., to use a specific portion of the public right-of-way for limited telecommunications purposes not including telecommunications services, as defined in the Telecommunications Act of 1996 (47 U.S.C. Section 153 (46)) or Local Exchange Service; and for other purposes. **(3<sup>rd</sup> Reading, Final Adoption)**

**FORWARDED WITH NO RECOMMENDATION**

**CITY UTILITIES COMMITTEE (5) HOWARD SHOOK, VICE-CHAIR**

## ORDINANCES FOR SECOND READING (CONT'D)

[03O0477\(17\)](#) An Ordinance by Councilmember Clair Muller authorizing the Mayor to execute a Right-of-Way Agreement with American Telephone and Telegraph Company, to use a specific portion of the public right-of-way for limited telecommunications purposes not including telecommunications services, as defined in the Telecommunications Act of 1996 (47 U.S.C. Section 153 (46)) or Local Exchange Service; and for other purposes. **(3<sup>rd</sup> Reading, Final Adoption)**

## FORWARDED WITH NO RECOMMENDATION

[03O0656\(18\)](#) An Ordinance by Councilmember Clair Muller amending the 2003 (Water and Sewerage Renewal and Extension Fund) Budget in the amount of \$540,000.00 to purchase Mechanical Street Sweepers; and for other purposes.

## FAVORABLE ON CONDITION

[03O0677\(19\)](#) An Ordinance by Councilmember Debi Starnes authorizing the Commissioner of Public Works, on behalf of the Mayor, to waive paragraphs four (4) and seven (7) of Section 138-60 of the Code of Ordinances of the City of Atlanta, for the issuance of a Banner Permit to the United Way of Metropolitan Atlanta; and for other purposes.

## FAVORABLE (1 ABSTENTION)

[03O0678\(20\)](#) An Ordinance by Councilmember H. Lamar Willis prohibiting graffiti and providing for eradication, enforcement and penalties; repealing prior ordinances in conflict; and for other purposes.

## FORWARDED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

## CITY UTILITIES COMMITTEE (6) HOWARD SHOOK, VICE-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) (Substituted 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)**

[02O1632\(4\)](#) 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\(5\)](#) 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\(6\)](#) 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 in Council District 12; and for other purposes. **(Held 10/29/02)**

**CITY UTILITIES COMMITTEE (7) HOWARD SHOOK, VICE-CHAIR**

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

**02O1897(7)** 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(8)** 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(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 on streets, sidewalks or the public right-of-way; and for other purposes. **(Held 11/12/02)**

**02O2087(10)** An Ordinance by Councilmember Clair Muller **as substituted by City Utilities Committee** 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. **(Substituted and held 4/1/03)**

**02O2090(11)** 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) (Referred back from Council 4/21/03) (Held 4/29/03)**

**03O0587(12)** An Ordinance by City Utilities Committee authorizing the acquisition of property interest for the construction of chlorination improvements at the Tanyard Creek CSO Facility; authorizing the Chief Procurement Officer to purchase real property which is useful and necessary to the City. **(Held 4/29/03)**

**CITY UTILITIES COMMITTEE (8) HOWARD SHOOK, VICE-CHAIR**

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

**03O0681(13)** An Ordinance by Councilmember Clair Muller to amend Chapter 34 of the Code of Ordinances of the City of Atlanta so as to create a Cable and Telecommunications Oversight and Planning Committee and to provide duties therefore; and for other purposes. **(Held 4/29/03)**

**03R0598(14)** A Resolution by City Utilities Committee authorizing Phase III-Design Build Phase with Western Summit Constructors, Inc., for FC-7134-99, Design/Build of Nancy Creek Trunk Sewer Capacity Management Facility on behalf of the Department of Watershed Management in an amount not to exceed \$31,000,000.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2J27 574001 M24I02429999. **(Held 4/29/03)**

**03R0655(15)** 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 4/29/03)**

**MEMBERS PRESENT: SHOOK, SMITH, WINSLOW, MADDOX, ARCHIBONG & YOUNG**

**COMMUNITY DEVELOPMENT/HUMAN**

**RESOURCES COMMITTEE DEBI STARNES, CHAIR**

**ORDINANCE FOR SECOND READING**

**03O0658(1)** An Ordinance by Councilmember Ivory Lee Young, Jr. authorizing the Mayor of the City of Atlanta to implement the provision of replacement housing for homeowners displaced by the Rock and Vine Streets Sewer Project; to direct the Department of Planning and Community Development to coordinate and implement the Housing Replacement Program that facilitates the voluntary purchase of property of owner occupied homes by the Rock and Vine Streets Sewer Project through the Georgia Dome Housing Trust Fund; the use of this fund being limited to those homeowners participating in the Housing Replacement Program and funds used from the Georgia Dome Housing Trust Fund may be eligible for reimbursement from the Water Sewer Fund upon approval of the project by the Atlanta City Council; to request the coordinating responsible authority of the Atlanta Renewal Community to increase funding limits of the Mortgage Assistance Program from \$20,000.00 to \$50,000.00 to assist in the funding of the Housing Replacement Program; and for other purposes.

**FAVORABLE ON CONDITION**

**RESOLUTIONS**

**03R0653(1)** A Resolution by Councilmember C. T. Martin requesting the Mayor or her designee to identify \$15,000.00 in Community Development Block Grant Funds to support the Martin Luther King, Jr. Drive Community Development Corporation, Inc., a non-profit organization providing Social, Educational, Community Safety, Beautification and Economic Development Programs to residents and businesses in District 10; and for other purposes.

**FILE**

**03R0440(2)** A Resolution by Councilmember Natalyn M. Archibong requesting the Mayor or her designee to identify \$25,000.00 in Community Development Block Grant Funds to support RAH RAH's Village of Hope, Inc., a non-profit organization providing transitional housing services to women and children; and for other purposes.

**FILE**

**COMMUNITY DEVELOPMENT/ (2) DEBI STARNES, CHAIR**

**HUMAN RESOURCES COMMITTEE**

**RESOLUTIONS (CONT'D)**

**03R0697(3)** A Resolution by Community Development/Human Resources Committee authorizing the Mayor to submit to the U.S. Department of Housing and Urban Development an application under the Section 108 Loan Guarantee Program in an amount not to exceed \$4,500,000.00 for the Winecoff Hotel Rehabilitation and Redevelopment Project, an Economic Development Project located at the corner of Peachtree and Ellis Streets.

**NO RECOMMENDATION ON CONDITION**

**PAPERS HELD IN COMMITTEE**

**02O2101(1)** 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 12<sup>th</sup> 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)**

[03O0045\(2\)](#) 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.)**

[03O0456\(3\)](#) An Ordinance by Councilmember Clair Muller to authorize implementation of the City of Atlanta Sustainable Development Design Standards; to promote consistent application of sustainable “green” building practices; incorporate sustainable building design and construction practices into city financed projects; and for other purposes. **(Held 4/1/03)**

[03R0574\(4\)](#) 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

## **COMMUNITY DEVELOPMENT/ (3) DEBI STARNES, CHAIR**

### **HUMAN RESOURCES COMMITTEE**

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

(CDBG), 2003 Emergency Shelter Grant (ESG), 2003 HOME, and the 2003 Housing Opportunities for Persons with AIDS (HOPWA) Programs; and for other purposes. **(Held 4/1/03)**

[03O0441\(5\)](#) An Ordinance by Councilmembers Natalyn M. Archibong, Debi Starnes and Anne Fauver authorizing the application of Impact Fees to be paid in conjunction with the rezoning of property located at 1219, 1240 and 1251 Caroline Street, NE (Z-02-83) to be used to fund the installation of traffic signals and other traffic calming devices needed for this newly developed area; and for other purposes. **(Favorable by Community Development/Human Resources Committee 4/1/03) (Referred back by Council 4/21/03)**

[03O0550\(6\)](#) An Ordinance by Community Development/Human

**UEZ-03-05** Resources Committee to create the “Centennial Park North Housing Enterprise Zone”, to be located at **536 Centennial Olympic Park Drive, NW**, (f.k.a. Techwood Drive, NW); and for other purposes. **(Held 4/29/03) (Advertised for a Public Hearing to be held 5/12/03)**

#### **NPU-M Council District 2**

[03O0551\(7\)](#) An Ordinance by Community Development/Human

**UEZ-03-03** Resources Committee to create the “Shawnee Apartments Housing Enterprise Zone”, to be located at **1220 Gun Club Road, NW**; and for other purposes. **(Held 4/29/03) (Advertised for a Public Hearing to be held 5/12/03)**

#### **NPU-G Council District 9**

[03O0552\(8\)](#) An Ordinance by Community Development/Human

**UEZ-03-02** Resources Committee to create the “Hollywood West Apartments Housing Enterprise Zone”, to be located at **1033 Hollywood Road, NW**; and for other purposes. **(Held 4/29/03) (Advertised for a Public Hearing to be held 5/12/03)**

#### **NPU-G Council District 9**

[03O0553\(9\)](#) An Ordinance by Community Development/Human

**UEZ-03-07** Resources Committee to create the “Pittsburg Redevelopment Housing Enterprise Zone”, to be located at

**473 (f.k.a. 455, et al.) Rockwell Street, SW (a.k.a. 801 McDaniel Street, SW); and for other purposes. (Held 4/29/03) (Advertised for a Public Hearing to be held 5/12/03)**

#### **NPU-V Council District 4**

#### **COMMUNITY DEVELOPMENT/ (4) DEBI STARNES, CHAIR**

HUMAN RESOURCES COMMITTEE

PAPERS HELD IN COMMITTEE (CONT'D)

**03O0554(10)** An Ordinance by Community Development/Human

**UEZ-03-01** Resources Committee to create the “Brookside Park Housing Enterprise Zone”, to be located at **1970 Metropolitan Parkway, SW**; and for other purposes. **(Held 4/29/03) (Advertised for a Public Hearing to be held 5/12/03)**

#### **NPU-X Council District 12**

**03O0575(11)** An Ordinance by Community Development/Human Resources Committee anticipating and appropriating \$9,595,866.00 in the 2003 Community Development Block Grant Program (CDBG), \$421,000.00 in the 2003 Emergency Shelter Grant (ESG) Program, \$3,307,092.00 in the 2003 HOME Investment Partnership Program (HOME), and \$7,280,820.00 in the 2003 Housing Opportunities for Persons with AIDS (HOPWA) Grant Program; and for other purposes. **(Held 4/29/03) (Awaiting Congressional approval of funding)**

**03O0576(12)** An Ordinance by Community Development/Human Resources Committee amending the 2003 (Community Development Fund) by anticipating and appropriating \$1,871,150.00, 2003 (HOME Investment Fund) by anticipating and appropriating \$400,788.00 and 2003 (Intergovernmental Grant Fund) Budget by anticipating and appropriating \$225,180.00 and transferring appropriations from Reserve Accounts to Administrative Accounts in the 2003 CDBG, HOME and HOPWA Programs; and for others purposes. **(Held 4/29/03) (Awaiting Congressional approval of funding)**

**03O0671(13)** An Ordinance by Councilmember Debi Starnes to correct the

**CDP-03-09** 2003 Comprehensive Development Plan so as to remedy a typographical error in Table 20-3, Land Use Classification System and Table 20-4, Relationships between Land Use Designations and Zoning Classifications. **(Held 4/29/03) (To be advertised for a CDP Public Hearing 6/9/03)**

**03O0662(14)** An Ordinance by Councilbmember Anne Fauver to amend

**CDP-03-10** the Land Use Element of the City of Atlanta 2003 Comprehensive Development Plan (CDP) so as to re-designate property that is located at **1084-1120 and 1128-1146 Ponce de Leon Avenue, NE**, currently Zoned RG-3

#### **COMMUNITY DEVELOPMENT/ (5) DEBI STARNES, CHAIR**

HUMAN RESOURCES COMMITTEE

PAPERS HELD IN COMMITTEE (CONT'D)

and RG-3-C , from the “Low Density Residential 9 to 16 units per acre” Land Use Designation to the “Low Density Residential 0 to 8 units per acre” Land Use Designation; and for other purposes. **(Held 4/29/03) (To be advertised for a CDP Public Hearing 6/9/03)**

#### **NPU-F Council District 6**

03 O-0667 (15) An Ordinance by Councilmember Clela Winslow to amend

**CDP-03-11** the Land Use Element of the City of Atlanta 2003 Comprehensive Development Plan (CDP) so as to re-designate property located at **785, 795, 801, 809 and 851 Lee Street, SW and 821 and 825 Beecher Street, SW**, from the "Light industrial" Land Use Designation to the "Light Commercial with Condition (C-1-C)" Land Use Designation; and for other purposes. **(Held 4/29/03) (To be advertised for a CDP Public Hearing 6/9/03)**

#### **NPU-T Council District 4**

03O0668(16) An Ordinance by Councilmember Clela Winslow to amend

**CDP-03-13** the Land Use Element of the City of Atlanta 2003 Comprehensive Development Plan (CDP) so as to re-designate property located at **976, 986, 992 and 1000 Oakland Drive, SW**, from the "Commercial" Land Use Designation to the "Low Density Residential" Land Use Designation; and for other purposes. **(Held 4/29/03) (To be advertised for a CDP Public Hearing 6/9/03)**

#### **NPU-S Council District 4**

03O0669(17) An Ordinance by Councilmember Clela Winslow to amend

**CDP-03-12** the Land Use Element of the City of Atlanta 2003 Comprehensive Development Plan (CDP) so as to re-designate property located at **1060 Oakland Drive, SW**, from the "Light Industrial" Land Use Designation to the "Low Density Residential" Land Use Designation; and for other purposes. **(Held 4/29/03) (To be advertised for a CDP Public Hearing 6/9/03)**

#### **NPU-S Council District 4**

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

PUBLIC SAFETY AND LEGAL

ADMINISTRATION COMMITTEE CEASAR C. MITCHELL, CHAIR

ORDINANCE FOR SECOND READING

03O0119(1) An Ordinance by Councilmembers Clair Muller, Howard Shook and Anne Fauver **as amended by the Public Safety Committee and substituted by the Council** 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.

#### **FAVORABLE ON SUBSTITUTE AS AMENDED ON CONDITION**

RESOLUTIONS

03R0439(1) A Resolution by Councilmember Carla Smith **as amended by Finance/Executive Committee** requesting the Atlanta City Council include as part of its 2004 Legislative Package a request to the Georgia State Legislature to include a penalty assessing points on the drivers license of individuals convicted of violating the noise limitations of the State of Georgia, found at O.C.G.A. 40-6-14(a), as they apply to operation of motor vehicles. **(Referred from Finance/Executive Committee, Amended and Referred With No Recommendation, 4/2/03) (Referred from Full Council, 4/21/03)**

#### **FILE**

03R0362(2) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to enter into

an appropriate contractual agreement with Robinson & Stevens, Inc., for FC-7455-02, Wrecker Services for Vehicles Under (2) Tons, Zone 7 on behalf of the Atlanta Police Department. All revenues generated under this contract agreement shall be deposited to Fund, Account and Center Numbers: Towing 1A01 462316 B00001 and Sales Overages: 1A01 469101 B00001.

FILE

PUBLIC SAFETY AND LEGAL (2)

ADMINISTRATION COMMITTEE CEASAR C. MITCHELL, CHAIR

RESOLUTIONS (CONT'D)

03R0363(3) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to enter into an appropriate contractual agreement with Buckhead Towing, LLC, for FC-7454-02, Wrecker Services for vehicles under two (2) tons, Zone 6 on behalf of the Atlanta Police Department. All revenues generated under this contract agreement shall be deposited to Fund, Account and Center Numbers: Towing: 1A01 462316 B00001 and Sales Overages: 1A01 469101 B00001.

FILE

03R0364(4) A Resolution by Pubic Safety and Legal Administration Committee authorizing the Mayor to enter into an appropriate contractual agreement with Futo's, Inc., for FC-7451-02, Wrecker Services for vehicles under two (2) tons on behalf of the Atlanta Police Department. All revenues generated under this contract agreement shall be deposited to Fund, Account and Center Numbers: Towing 1A01 462316 B00001 and Sales Overages: 1A01 469101 B00001.

FILE

03R0365(5) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to enter into an appropriate contractual agreement with A Tow Atlanta, Inc., for FC-7450-02, Wrecker Services for vehicles under two (2) tons, Zones 1 & 5 on behalf of the Atlanta Police Department. All revenues generated under this contract agreement shall be deposited to Fund, Account and Center Numbers: Towing 1A01 462316 B00001 and Sales Overages: 1A01 469101 B00001.

FILE

03R0367(6) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to enter into an appropriate contractual agreement with South Metro Towing, Inc., for FC-7452-02, Wrecker Services vehicles under two (2) tons, Zone 3 on behalf of the Atlanta Police Department. All revenues generated under this contract agreement shall be deposited to Fund, Account and Center Numbers: Towing: 1A01 462316 B00001 and Sales Overages: 1A01 469101 B00001.

FILE

PUBLIC SAFETY AND LEGAL (3)

ADMINISTRATION COMMITTEE CEASAR C. MITCHELL, CHAIR

RESOLUTIONS (CONT'D)

03R0368(7) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to enter into an appropriate contractual agreement with B & L Wrecker Services, Inc., for FC-7453-02, Wrecker Services for vehicles under two (2) tons, Zone 4 on behalf of the Atlanta Police Department. All revenues shall be generated under this contract agreement shall be deposited to Fund, Account and Center Numbers: Towing: 1A01 462316 B00001 and

Sales Overages: 1A01 469101 B00001.

FILE

**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)**

**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)**

PUBLIC SAFETY AND LEGAL (4)

ADMINISTRATION COMMITTEE CEASAR C. MITCHELL, CHAIR

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

**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)**

03 O-0455 ( 7) An Ordinance by Councilmember Clair Muller to amend Chapter 30, Article XVII of the Code of Ordinances for the City of Atlanta to prohibit price gouging and similar practices at parking facilities throughout the City; and for other purposes. **(Held 4/1/03)**

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

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

03-TR-0699 ( 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.

**ORDINANCES FOR SECOND READING**

**03O0311(1)** An Ordinance by Councilmember Ivory Lee Young, Jr. **as substituted and amended by the Full Council** 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 Procurement Officer to negotiate with affected property owners to acquire property on a voluntary basis for a period of not less than six (6) months from the adoption of this ordinance, provided, however, that after such time the Mayor and Chief Procurement 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 limited 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 the Mayor and Chief Procurement Officer to apply for Georgia Emergency Management Agency ("GEMA") Grants where applicable; 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 authorize the City Attorney to use the services of outside counsel, where necessary, to handle condemnation cases; and for other purposes.

**FORWARDED WITHOUT RECOMMENDATION (3 YEA'S)**

**(2 NAY'S)**

**03O0410(2)** An Ordinance by Councilmembers Jim Maddox, C. T. Martin and Derrick Boazman to amend the pension acts applicable to the City of Atlanta, so as to provide for a temporary Early Retirement Program for employees in the General Employees Pension Fund having 30 years or more of service; and for other purposes.

**FILE (3 YEA'S) (1 NAY)**

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

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

**03O0437(3)** An Ordinance by Finance/Executive Committee amending the 2003 (2001 Water and Wastewater Bond Fund) Budget in the amount of \$10,000,000.00 for the Rock and Vine Streets Sewer Project on behalf of the Department of Watershed Management; and for other purposes.

**FORWARDED WITHOUT RECOMMENDATION (4 YEA'S)**

**(1 NAY)**

**02O1963(4)** 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.

**FILE**

**03O0679(5)** An Ordinance by Councilmember Carla Smith **as amended by Finance/Executive Committee** authorizing the Mayor to enter into an Amendment to the Agreement regarding the Atlanta Zoo, dated December 5, 1985, among the City of Atlanta, Fulton County, and the City of Atlanta and Fulton County Recreation Authority (The "Authority") in connection with the current refunding of the Authority's Refunding Revenue Bonds, Zoo Series 1992 to permit the City of Atlanta to realize certain present value savings as a result of lower interest rates.

**FAVORABLE AS AMENDED (4 YEA'S) (1 NAY)**

**RESOLUTION**

**03R0608(1)** A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor to execute a contractual agreement with GEAC Enterprise Solutions, Inc. for the City of Atlanta's MARS/G Financial System Hardware/Software Upgrade pursuant to City Code Section 2-1191; to authorize not more than 2,300 hours of consulting services to install and maintain the upgrade in an amount not to exceed \$662,694.00 for a term of one year;



all cost to be paid from appropriate Fund, Account, and Center Numbers.

**FAVORABLE ON SUBSTITUTE ON CONDITION**

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

**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)**

**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)**

**03O0104(4)** 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)**

**03O0117(5)** 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) (Substituted and held 3/3/03)**

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

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

**03O0194(6)** 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)**

**03R0236(7)** 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. **(Held 3/3/03)**

**03O0313(8)** 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)**

**03O0314(9)** 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)**

**03O0318(10)** 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. **(Held 3/3/03)**

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

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

**003O0409(11)** An Ordinance by Councilmembers C. T. Martin, H. L. Willis, Natalyn Archibong, Jim Maddox, Ivory Lee Young, Jr., Derrick Boazman, Ceasar C. Mitchell, Carla Smith, Debi Starnes and Mary Norwood to amend the Code of Ordinances of the City of Atlanta to add a new article to ensure that the City of Atlanta and businesses that benefit from receipt of City funds or from use of City property engage in responsible business practices by paying their employees a living wage and health benefits, practicing pay equity, and ensuring that public funds and public property are used in a viewpoint-neutral fashion and not diverted for inappropriate purposes. **(Held 3/12/03 for Work Session and Public Hearing) (To be advertised for a Public Hearing 5/12/03 at 9:00 a.m. and 5/13/03 at 6:00 p.m. in Committee Room #2)**

**03O0660(12)** An Ordinance by Councilmember Jim Maddox **as substituted by Finance/Executive Committee** authorizing the Mayor or her designee to begin negotiations and settlement for acquisition of land in the Greenbriar Community in the City of Atlanta, whereas the total price of acquisition is not to exceed \$375,000.00, for the purpose set forth in the City of Atlanta Community Greenspace Program; amending the 2001 (General Government Capital Outlay Fund) Budget by transferring appropriations in the amount \$375,000.00 from and to various accounts; authorizing the payment of associated costs; and for other purposes. **(Held 4/30/03)**

**03O0663(13)** An Ordinance by Councilmember Natalyn Mosby Archibong amending the 2003 (2000 G. O. Referendum (Q.O.L) Bond Fund) Budget by transferring to and from appropriations in the amount of \$188,000.00. To fund the McClendon Avenue Traffic Calming Study; and for other purposes. **(Held 4/30/03)**

#### **MEMBERS PRESENT: MOORE, MARTIN, MADDOX, FAUVER & STARNES.** **TRANSPORTATION COMMITTEE FELICIA A. MOORE, VICE-CHAIR**

#### **PAPERS HELD IN COMMITTEE**

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

**02O1259(2)** An Ordinance by Councilmembers Cleta 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)**

**02O1585(3)** An Ordinance by Councilmember Debi Starnes to establish a Residential Only Loading and Unloading Zone in Downtown Atlanta. **(Held 10/2/02)**

**03O0148(4)** 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. **(Public Hearing held 4/2/03) (Held 4/2/03)**

**03R0384(5)** A Resolution by H. Lamar Willis **as substituted by Transportation Committee** authorizing the Mayor or her designee to execute a Memorandum of Agreement (MOA) with the Transportation Security Administration (TSA) to provide for the design, construction, equipment installation and financing of the Automated Hold Baggage Screening Project to be performed at Hartsfield Atlanta International Airport; in an amount not to exceed \$215,000,000.00 and for other purposes. **(Held 3/12/03)**

**03O0402(6)** An Ordinance by Councilmember Mary Norwood authorizing the Mayor or her designee to install a Three-Way Stop Sign at the intersection of Powers Ferry Road, NW and Tuxedo Terrace, NW; and for other purposes. **(Held 3/12/03)**

**03O0403(7)** An Ordinance by Councilmember Mary Norwood authorizing the Mayor or her designee to install a Three-Way Stop Sign at the intersection of Habersham Road, NW and Knollwood Drive, NW; and for other purposes. **(Held 3/12/03)**

**TRANSPORTATION COMMITTEE (2) FELICIA MOORE, VICE- CHAIR**

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

**03O0404(8)** An Ordinance by Councilmember Mary Norwood authorizing the Mayor or her designee to install a Four-Way Stop Sign at the intersection of Habersham Road and Valley Road; and for other purposes. **(Held 3/12/03)**

**03O0665(9)** An Ordinance by Councilmember Natalyn M. Archibong authorizing the Mayor or her designee to install speed humps on May Avenue, SE between Flat Shoals Avenue, SE and Blake Avenue, SE; and for other purposes. **(Held 4/30/03)**

**MEMBERS PRESENT: MOORE, MARTIN, SMITH & BOAZMAN**

**ZONING COMMITTEE IVORY LEE YOUNG, JR., CHAIR**

**SUMMARY REPORT - SEE ATTACHED LIST**

**FAVORABLE**

<u>03-O-0421</u>	Z-03-04	1849 Marietta Road, NW (D-9)	R-5 to PD-H/Site Plan Amendment	Approval Conditional	Approval Conditional	Favorable
<u>03-O-0426</u>	Z-03-09	1041 Moreland Drive, SE (Part) (W-1)	R-4 to PD-H	Approval Conditional	Approval	Favorable
<u>03-O-0429</u>	U-03-05	800 Simpson Street, NW	Church	Approval		Favorable

(L-3)

Conditional

<u>03-O-0430</u>	U-03-06	400 Luckie Street, NW	Dormitory	Approval	Approval	Favorable
		(M-2)				

**FORWARDED WITH NO RECOMMENDATION**

<u>03-O-0419</u>	Z-03-02/Z-73-2	4201 Wieuca Road, NE	Change of Conditions	Approval	Denial	Favorable on Substitute
		(B-7)		w/Conditions		

**FAVORABLE ON**

**SUBSTITUTE**

<u>03-O-0203</u>	U-03-01/U-00-37	1748 Rey Street, NW	Change of Conditions	Approval	Approval	Favorable on Substitute
		(G-9)		Conditional		

<u>03-O-0431</u>	U-03-07/U-99-17	1176 Osborne Street, SW	Change of Conditions	Approval	Approval	Favorable on Substitute
		(X-12)		Conditional		

**FAVORABLE ON**

**SUBSTITUTE AS AMENDED**

<u>03-O-0423</u>	Z-03-06/Z-99-48	3469-3475 Roxboro Road, NE	Site Plan Amendment	Approval w/Condition	Denial	Favorable on Substitute
		(B-7)				

**FAVORABLE AS**

**AMENDED**

<a href="#"><u>03-O-0422</u></a>	Z-03-05/Z-98-40	3525-3529-3533 Roxboro Road, NE	Change of Conditions	Denial	Denial	Adverse
		(B-7)				

**FILE**

<a href="#"><u>02-O-1809</u></a>	Z-02-72	263 Decatur Street, SE	I-1 to SPI-1	Denial		File
		(M-5)				

**HELD**

<a href="#"><u>03-O-0205</u></a>	U-03-03	169 Fairburn Road, SW	Group Home	Approval	Denial	Favorable
		(H-10)		Conditional		

**ORDINANCES FOR SECOND READING**

[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 14<sup>th</sup> 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)**

**FAVORABLE**

[03O0670\(2\)](#) An Ordinance by Councilmembers Debi Starnes and Cleta Winslow to authorize the temporary installation of public art at several locations throughout the City of Atlanta, pursuant to Chapter 28A, the Sign Ordinance of the City of Atlanta, of the City of Atlanta 1982 Zoning Ordinance; and for other purposes.

**FAVORABLE ON CONDITION**

**ORDINANCES FOR FIRST READING**

[03O0687\(1\)](#) An Ordinance by Zoning Committee to rezone from the R-4

**Z-03-25 (Single-Family Residential) District to the PD-H (Planned Development-Housing) District, property located at 641 (a.k.a. 645) Hutchens Road, SE, fronting 198.68 feet on the southwesterly side of Hutchens Road beginning 323 feet easterly from the west line of Land Lot 30 (14<sup>th</sup> District).**

Depth: 386.77 Feet

Area: 1.523 Acres

Land Lot: 30, 14<sup>th</sup> District, Fulton County, Georgia

**Owner: Earl Barnes**

Applicant: Jerrell Solomon

**NPU-Z Council District 12**

**TO BE REFERRED TO ZRB AND ZONING COMMITTEE**

**03O0688(2) An Ordinance by Zoning Committee to rezone from the R-2**

**Z-03-26** (Single-Family Residential) District to the PD-H (Planned Development-Housing) District, property located at **1065 Mount Paran Road, NW**, fronting 160.32 feet on the northwesterly side of Mount Paran Road beginning 877.1 feet

**ZONING COMMITTEE (2) IVORY LEE YOUNG JR., CHAIR**

ORDINANCES FOR FIRST READING (CONT'D)

northeasterly from the northeast corner of Mount Paran Parkway.

Depth: Varies

Area: 2.9566 Acres

Land Lots: 161 & 178, 17<sup>th</sup> District, Fulton County, Georgia

Owner: Robert and Bridget Edmonds

Applicant: Crossville-Crabapple Partners, LLC

NPU-A Council District 8

**TO BE REFERRED TO ZRB AND ZONING COMMITTEE**

**03O0689(3) An Ordinance by Zoning Committee to rezone from the R-5**

**Z-03-27** (Two-Family Residential) District to the R-4B (Single-Family Residential) District, property located at **292 Fortune Street, NE**, fronting 100 feet on the west side of Fortune Street beginning at the northwest corner of Fortune Place.

Depth: 198.39 Feet

Area: .4554 Acre

Land Lot: 19,14<sup>TH</sup> District, Fulton County, Georgia

Owner: Julie M. T. Walker

Applicant: Same

**NPU-M Council District 2**

**TO BE REFERRED TO ZRB AND ZONING COMMITTEE**

**03O0690(4)** An Ordinance by Zoning Committee to amend the 1982 City

**Z-03-28** of Atlanta Zoning Ordinance, as amended, to amend Section 16-28.008(2) so as to allow porches wider than 25% of the width of the lot; and for other purposes.

**TO BE REFERRED TO ZRB AND ZONING COMMITTEE**

**03O0691(5)** An Ordinance by Zoning Committee granting a Special

**U-03-12** Use Permit for a Mosque and Cemetery (Section 16-06.005(1)(a) and (c)), property located at **3095 Jonesboro Road, SE**, fronting 649.94 feet on the westerly side of Jonesboro Road beginning 449 feet southwesterly from the southwest corner of School Drive.

Depth: Varies

Area: 11.40 Acres

Land Lot: 35, 14<sup>th</sup> District, Fulton County, Georgia

Owner: Masjid Ash-Shura, Inc.

Applicant: Same

NPU-Z Council District 12

**TO BE REFERRED TO ZRB AND ZONING COMMITTEE**

**ZONING COMMITTEE (3) IVORY LEE YOUNG JR., CHAIR**

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

**03O0692(6)** An Ordinance by Zoning Committee granting a Special Use

**U-03-13** Permit for a Church (Section 16-05.005(1)(c)), property located at **306-312 Peyton Road, SW**, fronting approximately 482.8 feet on the southeasterly side of Peyton Road beginning approximately 1,540 feet northerly from the northeast corner of Peyton Woods Trail.

Depth: Varies

Area: 7.330 Acres

Land Lots: 213 & 204, 14<sup>th</sup> District, Fulton County, Georgia

Owner: St. Paul's Episcopal Church

Applicant: Metro Planning Services, Inc.

By: James R. Bailey

NPU-I Council District 11

**TO BE REFERRED TO ZRB AND ZONING COMMITTEE**

03O0695(7) An Ordinance by Zoning Committee to amend the Sign Ordinance of the City of Atlanta, Code Section 16-28A.007 and Section 16-28A.008 to add a definition of Historic Markers and to add Historic Markers as one of the categories of signs which do not require a Permit; and for other purposes.

**TO BE REFERRED TO ZRB AND ZONING COMMITTEE**

03O0698(8) An Ordinance by Zoning Committee to amend Ordinance U-73-29 as amended, adopted by the Board of Aldermen August 6, 1973 and approved by the Mayor August 14, 1973 granting a Special Use Permit for a Child Care Nursery, property located at **1385 Lorenzo Drive, SW**, for the purpose of approving a Transfer of Ownership.

**TO BE REFERRED TO ZONING COMMITTEE**

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

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

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**Webmaster**

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