

ATLANTA CITY COUNCIL

ACTION/MINUTES

APRIL 01, 2002

The Atlanta City Council held its Regularly Scheduled Meeting on Monday, April 01, 2002. The Meeting convened at 1:11 p.m. in the Council Chambers at City Hall. The roll was called and a quorum was declared.

PRESIDER: **The Honorable Cleta Winslow, Council President Pro-Temp** presided.

Attendance:

The following (15) voting members were present at the Meeting:

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| The Honorable Carla Smith | The Honorable Felicia Moore |
| The Honorable Debi Starnes | The Honorable C. T. Martin |
| The Honorable Ivory Lee Young, Jr. | The Honorable Jim Maddox |
| The Honorable Cleta Winslow | The Honorable Derrick Boazman |
| The Honorable Natalyn Mosby Archibong | The Honorable Ceasar C. Mitchell |
| The Honorable Anne Fauver | The Honorable Mary Norwood |
| The Honorable Charles Howard Shook | The Honorable H. Lamar Willis |
| The Honorable Clair Muller | |

Council President Cathy Woolard was absent.

INVOCATION: **Chaplain Kevin E. Lewis** of the Atlanta Police Department Chaplaincy Program gave the invocation.

PLEDGE OF ALLEGIANCE: **In unison**, the **Council** recited the Pledge of Allegiance to the flag of the United States of America.

REPORT OF THE JOURNAL: **Ms. Rhonda Dauphin Johnson, Municipal Clerk**, certified to the Council and the Committee on Council, that the **Action Minutes** of the **March 18, 2002** Regular Meeting of the Atlanta City Council are true and correct. The Minutes were **FILED** without objection.

THE ADOPTION OF THE AGENDA: The **Agenda** for the **April 01, 2002** meeting was **ADOPTED** without objection.

COMMUNICATIONS

Council President Pro-Temp Cleta Winslow Presided

COMMUNICATIONS

- 02-C-0663 (1) A Communication by **Mayor Shirley Franklin** appointing Mr. Ernest Greer to serve as a member of the One Stop Capital Shop Board of the City of Atlanta. This appointment is for a term of one (1) year, scheduled to begin on the date of Council confirmation.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 02-C-0662 (2) A Communication by **Mayor Shirley Franklin** appointing Mr. Arnold Silverman to serve as a member of the Piedmont Park Conservancy Board of the City of Atlanta. This appointment is for a term of one (1) year, scheduled to begin on the date of Council confirmation.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 02-C-0661 (3) A Communication by **Mayor Shirley Franklin** appointing Mr. Tom Kowalski to serve as a member of the Tree Conservation Commission of the City of Atlanta in the Botanist position. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 02-C-0660 (4) A Communication by **Mayor Shirley Franklin** re-appointing Ms. Sarah Mock to serve as a member of the Tree Conservation Commission of the City of Atlanta in the Real Estate position. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 02-C-0659 (5) A Communication by **Mayor Shirley Franklin** re-appointing Ms. Marcia Bansley to serve as a member of the Tree Conservation Commission of the City of Atlanta in the Environmental Organization Member position. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

Council President Pro-Temp Cleta Winslow Presided

COMMUNICATIONS (CONT'D)

02-C-0693 (6) A Communication by Municipal Clerk **Rhonda Dauphin Johnson** submitting the Administrative Corrections to previously adopted legislation during the time period occurrence between the regular Council meeting dates of March 18, 2002 and April 01, 2002 to the Atlanta City Council in accordance with Section 2-275 of the Code of Ordinances of the City of Atlanta.

FILED WITHOUT OBJECTION

VETOED LEGISLATION

Council President Pro-Temp Cleta Winslow Presided

VETOED LEGISLATION

02-O-0468 (1) An Ordinance by **Councilmembers Felicia A. Moore and H. Lamar Willis** as **Substituted by Finance/Executive Committee** amending Division 4 of the Code of Ordinances so as to require the Sunset of all resolutions and ordinances authorizing contracts, contract renewals and notices to proceed on the 91st calendar day after the date of approval; providing for reconsideration of said resolutions and ordinances and reauthorization by Council; requiring language that shall be added to all authorizing resolutions and ordinances and bid documents; and for other purposes.

The above item was Adopted on Substitute by the Council on March 18, 2002; however, the Mayor returned the legislation with a Veto on March 26, 2002. During the meeting, Councilmember Willis made a Motion to override the Mayor's Veto. It was properly Seconded and an extensive discussion ensued followed by Councilmember Young Call of the Question. The Motion of the Question was then CARRIED by Voice Vote. Following, the Motion to override the Mayor's Veto FAILED by a roll call vote of 6 yeas; 9 nays. Therefore, the Mayor's Veto sustained.

FAILED BY A ROLL CALL VOTE OF 6 YEAS; 9 NAYS

02-O-0469 (2) An Ordinance by **Councilmembers Felicia A. Moore and H. Lamar Willis** as **Substituted by Finance/Executive Committee** requesting the Purchasing Agent to provide a complete list of all expired contracts with the City within 90 days of the approval of this ordinance; authorizing the extension of contracts expired less than 60 days; requiring the re-bid of contracts expired more than 60 days; providing for a waiver of re-bid requirement; establishing a Sunset provision for this ordinance; and for other purposes.

The above item was Adopted on Substitute by the Council on March 18, 2002; however, the Mayor returned the legislation with a Veto on March 26, 2002. During the meeting, Councilmember Moore made a Motion to override the Mayor's Veto. It was properly Seconded and an extensive discussion ensued. Following, Councilmember Boazman Called the Question and the Motion CARRIED by a unanimous roll call vote of 15 yeas; 0 nays. The Motion to override the Mayor's Veto then followed by a roll call vote of 6 yeas; 9 nays. The Motion FAILED, therefore, the Mayor's Veto sustained.

FAILED BY A ROLL CALL VOTE OF 6 YEAS; 9 NAYS

UNFINISHED BUSINESS

Council President Pro-Temp Cleta Winslow Presided

UNFINISHED BUSINESS

NONE

**CONSENT AGENDA
SECTION I**

Council President Pro-Temp Cleta Winslow Presided

CONSENT AGENDA

There was no separate discussion of the following items with the exception of items 02-R-0531, 02-R-0499, 02-R-0497, 02-R-0498, 02-R-0513, 02-R-0561 and 02-R-0589 which were removed from the Consent Agenda, and considered separately per Rules for the Conduct of Business of the Council of the City of Atlanta (As Amended), Rule XI; Order of Business, SECTION 11.2; Consent Agenda.

The following CONSENT AGENDA SECTION I received a Favorable Recommendation and was Adopted in accordance with Section 11.2 by the following roll call vote: **14 Yeas:** *Councilmembers Smith, Starnes, Young, Winslow, Archibong, Shook, Muller, Moore, Martin, Maddox, Boazman, Mitchell, Norwood and Willis*; **0 Nays**, with the exception of item 02-R-0588 in which Councilmember Mitchell noted his abstention on the said item due to a potential conflict of interest. Therefore, a separate vote was taken on 02-R-0588 by a roll call vote of **13 Yeas:** *Councilmembers Smith, Starnes, Young, Winslow, Fauver, Shook, Muller, Moore, Martin, Maddox, Boazman, Norwood and Willis*; **0 Nays; 1 Abstention:** Councilmember Mitchell.

SECTION I

ORDINANCES FOR SECOND READING

FINANCE/EXECUTIVE COMMITTEE

FELICIA A. MOORE, CHAIR

02-O-0562 (1) An Ordinance by **Councilmember Natalyn Archibong as Substituted by Finance/Executive Committee** to transfer \$1,000.00 from District Five (5) Councilmember Expense Accounts to the Department of Planning, Development and Neighborhood Conservation to the Scrap Tire Abatement Program to be used specifically for the collection of scrap tires in District 5; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

02-O-0564 (2) An Ordinance by **Councilmember Clair Muller as Substituted and Amended by Finance/Executive Committee** authorizing the Mayor to enter into a contractual agreement between the City of Atlanta and the Georgia Environmental Facilities Authority State Revolving Fund Loan Program for the purpose of securing a loan in the amount of \$11,700,000.00; to correct deteriorating concrete piping and existing associated deteriorated or abandoned sewer structures; sanitary sewers include some 5,000 linear feet of the Lakewood Avenue Outfall and approximately 8,300 linear feet of the Tenth Ward Sanitary Sewer Trunk.
ADOPTED SUBSTITUTE AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Pro-Temp Cleta Winslow Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, CHAIR

- 02-O-0566 (3) An Ordinance by **Councilmember Jim Maddox** transferring appropriations in the amount of \$15,000.00 for the purpose of providing a service grant to the Georgia Council for International Visitors; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

CITY UTILITIES COMMITTEE

CLAIR MULLER, CHAIR

- 02-O-0568 (4) An Ordinance by **Councilmember Debi Starnes as Amended by City Utilities Committee** authorizing the Commissioner of Public Works, on behalf of the Mayor, to waive paragraph four (4) of Section 138-60 of the Code of Ordinances of the City of Atlanta, for the issuance of a Banner Permit to the Atlanta Beat; and for other purposes.
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE
OF 14 YEAS; 0 NAYS**
- 02-O-0582 (5) An Ordinance by **Councilmember Clair Muller** authorizing the Commissioner of Public Works, on behalf of the Mayor, to waive paragraph four (4) of Section 138-60 of the Code of Ordinances of the City of Atlanta, for the issuance of a Banner Permit to the Atlanta History Center; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

Council President Pro-Temp Cleta Winslow Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE
CLETA WINSLOW, CHAIR

02-O-0389 (6) A **Substitute** Ordinance by **Community Development/Human Resources Committee** as **Amended** amending Section 110.70.1 of the Code of Ordinances of the City of Atlanta, Georgia, Dogs Permitted in Certain Areas of Grant Park, so as to establish a new Code Section 110.70.2, entitled, Dogs Permitted in Certain Areas of Piedmont Park; to further establish an off-leash pet area for dogs within a specified location of Piedmont Park at the discretion of the Acting Commissioner of the Department of Parks, Recreation and Cultural Affairs; to accept certain improvements totaling \$106,100.00 to the designated off-leash pet area from the Piedmont Park Conservancy, Inc., on behalf of the Department of Parks, Recreation and Cultural Affairs; and for other purposes.
ADOPTED SUBSTITUTE AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

02-O-0392 (7) A **Substitute** Ordinance by **Community Development/Human Resources Committee** authorizing the Mayor to apply for and once approved, accept from the Georgia Office of School Readiness, a grant for the Summer Food Service Program for Children, in an amount not to exceed \$1,842,500.00; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

02-O-0390 (8) An Ordinance by **Community Development/Human Resources Committee** correcting Ordinance 01-O-1489 by providing new parcel code numbers for that portion of the Castleberry Hill Mixed-Use Residential/Commercial Enterprise Zone known as the Castleberry Inn/Legacy at Castleberry Hill; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Pro-Temp Cleta Winslow Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

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

- 02-O-0458 (9) An Ordinance by **Councilmembers Ceasar C. Mitchell, C. T. Martin, Jim Maddox, Cleta Winslow, Derrick Boazman, H. Lamar Willis, Debi Starnes, Howard Shook, Ivory Lee Young, Jr., Carla Smith and Mary Norwood as Amended by Public Safety and Legal Administration Committee** to amend Chapter 62, Article II, of the Code of Ordinances of the City of Atlanta, so as to create therein a new section which shall provide that a fee may be imposed as a condition of completion of the Pretrial Diversion Program; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

TRANSPORTATION COMMITTEE
H. LAMAR WILLIS, CHAIR

- 02-O-0394 (10) An Ordinance by **Transportation Committee** amending the 2002 (Intergovernmental Grant Fund) Budget, Department of the Mayor by adding to anticipations and appropriations in the amount of \$20,000.00 from the Governor's Office of Community Affairs Local Assistance for Candler Park and Lake Claire Neighborhoods, to assist with a Transportation Study; to authorize the Mayor to sign all necessary grant agreements; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 02-O-0397 (11) An Ordinance by **Transportation Committee** authorizing the Mayor or her designee to execute temporary employment contracts with up to ten (10) retired Atlanta Police Officers to serve at Hartsfield Atlanta International Airport, for a total cost to the City not to exceed \$379,400.00, to be charged to and paid from Fund, Account and Center Number: 2H01 523001 X42091; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Pro-Temp Cleta Winslow Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

TRANSPORTATION COMMITTEE (CONT'D)

H. LAMAR WILLIS, CHAIR

- 02-O-0399 (12) An Ordinance by **Transportation Committee** authorizing the Mayor or her designee to make segments of the following streets within the City of Atlanta No Parking Anytime: Elkmont Drive, NE; Elizabeth Street, NE; and Orme Circle, NE.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 02-O-0400 (13) An Ordinance by **Transportation Committee** authorizing the Mayor or her designee to make the Speed Limit on Kingston Road, NW 25 Miles Per Hour.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 02-O-0401 (14) An Ordinance by **Transportation Committee** authorizing the Mayor or her designee to install a Stop Sign at the following intersection: Campbell Street, SE and Bixby Street.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 02-O-0402 (15) An Ordinance by **Transportation Committee** authorizing the Mayor or her designee to install a Stop Sign at the following intersection: Eleanor Street, SE and Bixby Street.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 02-O-0403 (16) An Ordinance by **Transportation Committee** authorizing the Mayor or her designee to install a Stop Sign at the following intersection: the west leg of Orme Circle, NE at Elkmont Drive.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 02-O-0404 (17) An Ordinance by **Transportation Committee** authorizing the Mayor or her designee to install a Stop Sign at the following intersection: Pinecrest Road, NE at Rickenbacker Drive.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

Council President Pro-Temp Cleta Winslow Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

TRANSPORTATION COMMITTEE (CONT'D)

H. LAMAR WILLIS, CHAIR

02-O-0405 (18) An Ordinance by **Transportation Committee** authorizing the Mayor or her designee to install a Yield Sign at the intersection of the east leg of Orme Circle, NE and the west leg of Orme Circle south of Elkmont Drive.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

02-O-0408 (19) An Ordinance by **Transportation Committee** granting to Georgia Power Company an easement across property owned by the City of Atlanta in Land Lots 38, 57, 58 and 59 of the 13th District of Clayton County, to provide for permanent relocation of temporary high voltage transmission lines serving seven substations in the area of the Fifth Runway Project at Hartsfield Atlanta International Airport; authorizing the Mayor or her designee to execute appropriate instruments to evidence the granting of such easement; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

RESOLUTIONS

FINANCE/EXECUTIVE COMMITTEE

FELICIA A. MOORE, CHAIR

02-R-0464 (1) A Resolution by **Councilmember Felicia Moore as Amended by Finance/Executive Committee** requesting that the Mayor and/or her designee give priority hiring status to those RIF'd employees with fifteen (15) years of service; and for other purposes.
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE
OF 14 YEAS; 0 NAYS**

02-R-0494 (2) A Resolution by **Finance/Executive Committee** authorizing refunds for the overpayment of business license fees to the Tavern at Phipps, Account # 025032LGB in the amount of \$6,756.27; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

Council President Pro-Temp Cleta Winslow Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, CHAIR

02-R-0495 (3) A Resolution by **Finance/Executive Committee** authorizing refunds for the overpayment of business license fees to Atlanta Palm Corp. Account # 050269 TBD in the amount of \$11,222.50; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

02-R-0496 (4) A Resolution by **Finance/Executive Committee** to authorize the Mayor to enter into Change Order Number One for FC-7086-99, Lakewood Avenue Bridge Replacement Project, with Sunbelt Structures, Inc., in an amount not to exceed \$736,457.42; all contracted work shall be charged to and paid from the following Fund, Account and Center Numbers;

| | |
|--------------------------|--------------|
| 1C33 524001 M22F040592BA | \$196,905.53 |
| 1C37 574001 M22F040592BA | \$5,630.06 |
| 1C39 574001 M22F040592BA | \$284,665.37 |
| 1C23 524001 M22F040592BA | \$745.62 |
| 1C25 524001 M22F040592BA | \$25,685.50 |
| 1C27 524001 M22F040592BA | \$33,731.26 |
| 1C30 524001 M22F040592BA | \$168,981.39 |
| 1C32 524001 M22F040592BA | \$20,112.69 |

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

02-R-0497 (5) A Resolution by **Finance/Executive Committee as Substituted and Amended** authorizing the Mayor to enter into an appropriate contractual agreement with Cooperative Personnel Services (CPS) for FC-7397-02, Process Review and Redesign for Personnel and Human Resources (RFP) on behalf of the Office of the Mayor in an amount not to exceed \$440,312.00. All contracted work shall be charged to and paid from Fund, Account, and Center Number: 3P02 524001 D11T0608QNAO

The above item was removed from the Consent Agenda by request of Councilmember Starnes.

SEE FINANCE/EXECUTIVE COMMITTEE REPORT

Council President Pro-Temp Cleta Winslow Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, CHAIR

02-R-0498 (6) A Resolution by **Finance/Executive Committee as Substituted and Amended** authorizing the Mayor to enter into an appropriate contractual agreement with Thompson, Cobb, Bazilio and Associates for FC-7398-02, Process Review and Redesign for the Procurement Process, (RFP) on behalf of the Office of the Mayor in an amount not to exceed \$516,884.60. All contracted work shall be charged to and paid from Fund, Account and Center Number: 3P02 524001 D11T0608QNAO.

The above item was removed from the Consent Agenda by request of Councilmember Starnes.

SEE FINANCE/EXECUTIVE COMMITTEE REPORT

02-R-0499 (7) A Resolution by **Finance/Executive Committee as Substituted and Amended** authorizing the Mayor to enter into an appropriate contractual agreement with Gartner Consulting for FC-7400-02, Process Review and Redesign for Technology Management, (RFP) on behalf of the Office of the Mayor in an amount not to exceed \$436,000.00. All contracted work shall be charged to and paid from Fund, Account, and Center Number: 3P02 524001 D11T0608QNAO

The above item was removed from the Consent Agenda by request of Councilmember Moore.

SEE FINANCE/EXECUTIVE COMMITTEE REPORT

02-R-0500 (8) A Resolution by **Finance/Executive Committee** authorizing the Purchasing Agent to utilize the State of Georgia Contract S-000546-043 with Cisco Systems for the purchase of communication equipment on behalf of the Department of Aviation in an amount not to exceed \$320,271.00.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

Council President Pro-Temp Cleta Winslow Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, CHAIR

02-R-0560 (9) A Resolution by **Councilmembers Cleta Winslow and Debi Starnes as Substituted and Amended by Finance/Executive Committee** authorizing the Mayor to execute an agreement for Planning Advisory Consultant Services with Michael Dobbins for a period not to exceed twelve months, and not to exceed \$54,183.00, with all services and charges to be paid from Account No. 1C30 524001 Y11Q025792AE; and for other purposes.

ADOPTED SUBSTITUTE AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

02-R-0569 (10) A Resolution by **Councilmembers Felicia A. Moore and Ceasar C. Mitchell** urging our Georgia Congressional Delegation to cosponsor and support H.R. 3397 to establish a firm date to clear TV Channels from the spectrum allocated for Public Safety and to provide that radio stations will no longer occupy the spectrum reallocated for Public Safety after December 31, 2006; and for other purposes.

ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

02-R-0570 (11) A Resolution by **Councilmembers Felicia A. Moore and Ceasar C. Mitchell** stating the City of Atlanta's support of the National League of Cities 2002 Policy Priority calling on the Federal Government to recognize local governments as key players in Homeland Defense; seeking direct federal funding and guidance needed to help cities meet our national defense responsibilities; and for other purposes.

ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

02-R-0571 (12) A Resolution by **Councilmembers Felicia A. Moore and Cleta Winslow** stating the City of Atlanta's support of the National League of Cities 2002 Policy Priority on Protecting Local Authority and Civil Liberties as it relates to the federal faith-based initiative; and for other purposes.

ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Pro-Temp Cleta Winslow Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, CHAIR

- 02-R-0572 (13) A Resolution by **Councilmember Felicia A. Moore** stating the City of Atlanta's full support of the National League of Cities 2002 Policy Priority which calls on the Federal Government to ensure that future trade agreements do not undermine traditional local authority to design land use policies and economic development initiatives, and to enforce health and environmental and purchasing regulations; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 02-R-0573 (14) A Resolution by **Councilmembers Felicia A. Moore and Cleta Winslow** stating the City of Atlanta's support of the National League of Cities 2002 Policy Priority calling for the Federal Government to provide the necessary resources to update flood maps and assist cities in long-term planning and major improvements in the quality of life; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 02-R-0574 (15) A Resolution by **Councilmembers Felicia A. Moore and Clair Muller** stating the City of Atlanta's support of the National League of Cities position of protecting local revenues and taxing authority and opposing preemptive efforts that could cause both long and short-term revenue shortages for cities and local economies, and undermine local zoning controls; opposing efforts by the FCC and Congress to preempt local telecommunications taxing and franchise authority; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 02-R-0595 (16) An **Amended** Resolution by **Finance/Executive Committee** authorizing the Mayor to execute a Retainer Agreement with the Law Firms of King & Spalding and Howell & Associates, LLC to serve as Bond Counsel to the City of Atlanta in connection with the issuance of certain Tax Anticipation Notes; to authorize the Chief Financial Officer to pay fees and costs for legal services rendered pursuant to said agreement (provided that the legal fees authorized herein shall not exceed the sum of \$24,000.00); to rescind conflicting resolutions; and for other purposes.
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE
OF 14 YEAS; 0 NAYS**

Council President Pro-Temp Cleta Winslow Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, CHAIR

- 02-R-0596 (17) A Resolution by **Finance/Executive Committee** authorizing the purchasing agent to utilize the State of Georgia Contract S-000546 with Dell Computers for the purchase of computer equipment and peripherals equipment on behalf of the Department of Aviation in an amount not to exceed \$416,173.00.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

CITY UTILITIES COMMITTEE

CLAIR MULLER, CHAIR

- 02-R-0486 (18) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into an Encroachment Agreement with TUFF/Atlanta Housing, LLC, University Lofts, LLC, or their designee(s) for the installation of private utility facilities crossing under Auditorium Place in the City of Atlanta; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 02-R-0511 (19) A Resolution by **City Utilities Committee** to authorize payment of stipulated penalties imposed by the Environmental Protection Agency (EPA) and the Environmental Protection Division of the Department of Natural Resources of the State of Georgia (EPD) in the amount of \$127,500.00 as stipulated penalties for violations of CSO Fecal Coliform Operational Standards and CSO Sampling pursuant to the CSO Consent Decree, Civil Action File No. 1:95-CV-2550-TWT; to identify the source of funding; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

Council President Pro-Temp Cleta Winslow Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

CITY UTILITIES COMMITTEE (CONT'D)

CLAIR MULLER, CHAIR

02-R-0587 (20) A Resolution by **City Utilities Committee** to authorize payment of stipulated penalties imposed by the Environmental Protection Agency (EPA) and the Environmental Protection Division of the Department of Natural Resources of the State of Georgia (EPD) in the amount of \$684,800.00 pursuant to the Consent Decree, Civil Action File No. 1:95-CV-2550-TWT and First Amended Consent Decree 1:98-CV-1956-TWT; to identify the source of funding; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

CLETA WINSLOW, CHAIR

02-R-0492 (21) An **Amended** Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to enter into a Renewal Agreement No. 1 with Harmon Brothers Charter, Inc., for FC-7207-00, Summer Camp Transportation Services on behalf of the Department of Parks, Recreation and Cultural Affairs in an amount not to exceed \$139,000.00, all contracted work shall be charged to and paid from Fund, Account and Center Number: 1A01 524001 N32101.

**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE
OF 14 YEAS; 0 NAYS**

02-R-0493 (22) An **Amended** Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to enter into a Renewal Agreement No. 1 with Barton Protective Services, d/b/a Continental Security Services, for FC-7206-00, Bureau of Recreation Armed Security Guard Services, on behalf of the Department of Parks, Recreation and Cultural Affairs in an amount not to exceed \$390,000.00, all contracted work shall be charged to and paid from Fund Account and Center Number: 1A01 523001 N32201.

**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE
OF 14 YEAS; 0 NAYS**

Council President Pro-Temp Cleta Winslow Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (CONT'D)
CLETA WINSLOW, CHAIR

02-R-0557 (23) A Resolution by **Councilmembers Ceasar C. Mitchell and Mary Norwood as Substituted and Amended by Community Development/Human Resources Committee** authorizing the Mayor or her designee to submit or support applications to the Arthur M. Blank Family Foundation requesting funding for various park and greenspace projects, to accept grant funds; and for other purposes.

ADOPTED SUBSTITUTE AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

02-R-0521 (24) A Resolution by **Community Development/Human Resources Committee** endorsing the application by the Community Alliance of Metropolitan Parkway (CAMP) and Cooperative Resource Center (CRC), to the Georgia Department of Community Affairs for Low-Income Housing Tax Credits to renovate the Crescent Hills Apartments, a 244-Unit Mixed-Income Family Apartment Community located at 532 Cleveland Avenue, SW; and for other purposes.

NPU-X

Council District 12

ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

02-R-0522 (25) A Resolution by **Community Development/Human Resources Committee** endorsing the application by the Atlanta Neighborhood Development Partnership, Inc. (ANDP), to the Georgia Department of Community Affairs for Low-Income Housing Tax Credits to develop the Misty Amber Senior Housing, a 152-Unit Mixed-Income Senior Apartment Community located at 3712 Martin Luther King, Jr. Drive; and for other purposes.

NPU-H

Council District 10

ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Pro-Temp Cleta Winslow Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (CONT'D)
CLETA WINSLOW, CHAIR

02-R-0523 (26) A Resolution by **Community Development/Human Resources Committee** endorsing the application by G. Randall Hammond & Company, to the Georgia Department of Community Affairs for Low-Income Housing Tax Credits to renovate the Holly Ridge Apartments, a 216-Unit Mixed-Income Family Apartment Community located at 1620 Hollywood Boulevard; and for other purposes.

NPU-G

Council District 9

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

02-R-0524 (27) A Resolution by **Community Development/Human Resources Committee** endorsing the application by National Church Residences and Jeffrey E. Smith Companies, to the Georgia Department of Community Affairs for Low-Income Housing Tax Credits to rehabilitate Lakewood Christian Manor, a 250-Unit Senior Apartment Community located at 2141 Springdale Road, SW; and for other purposes.

NPU-X

Council District 12

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

02-R-0525 (28) A **Substitute** Resolution by **Community Development/Human Resources Committee** endorsing the application by Columbia Park Citi Residences, L.P., in conjunction with the Atlanta Housing Authority, to the Georgia Department of Community Affairs for Low-Income Housing Tax Credits to construct Columbia Park Citi Residences, a 152-Unit Family Apartment Community located at 1900 Kerry Blvd., NW Atlanta; and for other purposes.

NPU-G

Council District 9

**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE
OF 14 YEAS; 0 NAYS**

Council President Pro-Temp Cleta Winslow Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (CONT'D)
CLETA WINSLOW, CHAIR

02-R-0526 (29) A Resolution by **Community Development/Human Resources Committee** endorsing the application by the Integral Partnership of Atlanta, to the Georgia Department of Community Affairs for Low-Income Housing Tax Credits to rehabilitate the Cupola Building, a 12-Unit Family Mixed-Income Apartment Community located at 480 Centennial Olympic Park Drive; and for other purposes.

NPU-M

Council District 2

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

02-R-0527 (30) A Resolution by **Community Development/Human Resources Committee** endorsing the application by G. Randall Hammond and Company, to the Georgia Department of Community Affairs for Low-Income Housing Tax Credits to renovate the Heritage Greene Apartments, a 110-Unit Mixed-Income Family Apartment Community located at 2891 Springdale Road, SW; and for other purposes.

NPU-X

Council District 12

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

02-R-0528 (31) A Resolution by **Community Development/Human Resources Committee** endorsing the application by Russell New Urban Development, LLC and Green Pasture Ministries, to the Georgia Department of Community Affairs for Low-Income Housing Tax Credits to develop the Cornerstone Terrace Family Apartments, a 161-Unit Mixed-Income Family Apartment Community located at 895 Ralph David Abernathy Boulevard; and for other purposes.

NPU-T

Council District 4

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

Council President Pro-Temp Cleta Winslow Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (CONT'D)
CLETA WINSLOW, CHAIR

02-R-0529 (32) A Resolution by **Community Development/Human Resources Committee** endorsing the application by Fulton Atlanta Community Action Authority, The Ambling Companies and Colonial American Capital, to the Georgia Department of Community Affairs for Low-Income Housing Tax Credits to develop Ashton Oaks, a 96-Unit Family Apartment Community at 3391 Forrest Park Road; and for other purposes.

NPU-Z

Council District 12

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

02-R-0530 (33) A **Substitute** Resolution by **Community Development/Human Resources Committee** endorsing the application by Columbia Highlands Senior, L.P., to the Georgia Department of Community Affairs for Low-Income Housing Tax Credits to construct Columbia Highlands Senior Residences, a 130-Unit Senior Residence Community, located at 1700 Perry Blvd., NW Atlanta; and for other purposes.

NPU-G

Council District 9

**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE
OF 14 YEAS; 0 NAYS**

02-R-0531 (34) A Resolution by **Community Development/Human Resources Committee** endorsing the application by Norsouth Corporation, to the Georgia Department of Community Affairs for Low-Income Housing Tax Credits to develop Brookside Park, a 172-Unit Family Apartment Community at 1780 Metropolitan Parkway; and for other purposes.

NPU-X

Council District 12

The above item was removed from the Consent Agenda by request of Councilmember Boazman.

**SEE COMMUNITY DEVELOPMENT/HUMAN RESOURCES
COMMITTEE REPORT**

Council President Pro-Temp Cleta Winslow Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (CONT'D)
CLETA WINSLOW, CHAIR

02-R-0567 (35) A Resolution by **Councilmembers H. Lamar Willis and Howard Shook as Substituted by Community Development/Human Resources Committee** authorizing the Mayor to enter into a Lease Agreement with the Garden Hills Pool and Park Association, Inc. for a period of three (3) years with an option to renew for an additional two (2) year period, for the purpose of allowing the association to operate/manage the Garden Hills Park Swimming Pool, Recreation Center and Ballfield, on behalf of the Department of Parks, Recreation and Cultural Affairs, Bureau of Recreation; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

02-R-0588 (36) A Resolution by **Community Development/Human Resources Committee** declaring the intent of the City Council to loan \$450,000.00 from the 2003 Multi-Unit Housing Loan Program and \$400,000.00 from the 2004 Multi-Unit Loan Program in support of the Columbia Highlands Senior Residences, a 130 Unit Senior Residential Community, located at 1700 Perry Boulevard, NW developed by Columbia Highlands Senior, L. P.; and further, the Commissioner of the Department of Planning, Development and Neighborhood Conservation is authorized to issue a preliminary commitment letter outlining the terms of said commitment and loan; and for other purposes.

***Note: Councilmember Mitchell noted for the record of his abstention to the above item due to a potential conflict of interest.**

ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS; 1 ABSTENTION

Council President Pro-Temp Cleta Winslow Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (CONT'D)
CLETA WINSLOW, CHAIR

02-R-0589 (37) A Resolution by **Community Development/Human Resources Committee** endorsing the application by Cooperative Resource Center, Inc. to the Georgia Department of Community Affairs for Low-Income Housing Tax Credits to develop Westview Center, a 21-Unit Mixed-Income Live/Work Community located at 1524-1532 & 1537 Ralph David Abernathy Boulevard; and for other purposes.

The above item was removed from the Consent Agenda by request of Councilmember Winslow.

SEE COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE REPORT

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

02-R-0513 (38) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of lawsuits filed in Fulton County Superior Court by AMK, Inc. vs. the City of Atlanta, Case Number E-70858 and Anthony Randazzo v. AMK, Inc. and the City of Atlanta, Case Number E-70858, for the 23 Claire Drive Sand Pit Clean-Up Project in the amount of \$100,000.00; and for other purposes.

The above item was removed from the Consent Agenda by request of Councilmember Mitchell.

SEE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE REPORT

02-R-0518 (39) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of the claim of Elizabeth Burke in the amount of \$2,028.49 against the City of Atlanta.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Pro-Temp Cleta Winslow Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)
CEASAR C. MITCHELL, CHAIR

02-R-0556 (40) A Resolution by **Public Safety and Legal Administration Committee** authorizing payment in the amount of \$2,603.68 in settlement of the claim of Kimberly A. Watters against the City of Atlanta.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

02-R-0558 (41) A Resolution by **Councilmember Cleta Winslow** authorizing the City Attorney to pursue legal action against George Bivens, Eddie Lee Duncan and other unknown persons responsible for and related to the fraudulent taking of monies rightfully and legally belonging to the City of Atlanta from its parking meters; authorizing the City Attorney to take all necessary and reasonable action in order to diligently pursue legal action against persons responsible for the fraudulent taking of monies belonging to the City of Atlanta; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

02-R-0585 (42) A Resolution by **Public Safety and Legal Administration Committee** authorizing the City Attorney to settle the case of Thomas L. Lewis v. the City of Atlanta, pending in the United States District Court for the Northern District of Georgia 1:99-CV-3078-ODE by payment of the sum of \$200,000.00 and by entering into a Consent Order allowing reinstatement of Thomas L. Lewis to employment with the City; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

02-R-0586 (43) A Resolution by **Public Safety and Legal Administration Committee** authorizing the City Attorney to settle the case of Odette Florence v. the City of Atlanta, pending in the United States District Court for the Northern District of Georgia 1:99-CV-3169-ODE, by payment of the sum of \$260,000.00 and by entering into a Consent Order allowing reinstatement of Odette Florence to employment with the City; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Pro-Temp Cleta Winslow Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

TRANSPORTATION COMMITTEE

H. LAMAR WILLIS, CHAIR

02-R-0349 (44) A **Substitute** Resolution by **Transportation Committee** authorizing the Mayor to enter into an appropriate contractual agreement with Department of Transportation State of Georgia on behalf of the Department of Aviation to provide design review and approval for projects which encroach upon Federal Highway Administration rights-of-way in an amount not to exceed \$750,000.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2H21 561001 R21001; and for other purposes.

ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

02-R-0506 (45) A Resolution by **Transportation Committee** authorizing the Mayor or her designee to execute an agreement with the Atlanta Airlines Terminal Corporation (AATC) for accomplishment by AATC of Fire Detection/Alarm System Improvements, Fire Sprinkle System Replacement and Upgrades and Replacement of the Ceiling System only in the Common Use Areas of the Concourses in the Central Passenger Terminal Complex (CPTC) at Hartsfield Atlanta International Airport, for a cost to the City not to exceed \$17,000,000.00; to be charged to and paid from Fund, Account and Center Number: 2H27 574001 R21E012493CG.

ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

02-R-0561 (46) A Resolution by **Councilmember Howard Shook as Amended by Transportation Committee** authorizing the Mayor to execute a detailed agreement, on behalf of the City of Atlanta, with Metropolitan Atlanta Rapid Transit Authority providing for the realignment of Lindbergh Drive and exchange of property at Roxboro Road, Armour Circle and Plasters Bridge Road; and for other purposes.

The above item was removed from the Consent Agenda by request of Councilmember Shook.

SEE TRANSPORTATION COMMITTEE REPORT

Council President Pro-Temp Cleta Winslow Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

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

Claims with Favorable Recommendations:

02-R-0532 (1) Claim of **Stephen Thomas**, for damages alleged to have been sustained as a result of a vehicular accident on January 21, 2002 at 557 North Avenue, NE. **\$2,000.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

02-R-0533 (2) Claim of **Nick Charles**, for damages alleged to have been sustained as a result of vehicular damage due to a collapse in the roadway on June 1, 2001 at 165 10th Street. **\$700.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

02-R-0534 (3) Claim of **Julio Flores, through her attorney, Jeffrey A. Johnson**, for damages alleged to have been sustained as a result of a vehicular accident on June 19, 2001 at Peachtree Street, NE and Collier Road, NE. **\$2,000.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

02-R-0535 (4) Claim of **Cotton States Insurance Company as subrogee of Eugene L. and Joyce Boesl, through their agent, Hyde-Lane**, for damages alleged to have been sustained as a result of a vehicular accident on May 8, 2001 at Martin Luther King, Jr. Drive and Fairburn Road. **\$2,000.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Claims with Unfavorable Recommendations:

02-R-0514 (5) Claim of **Andrea Chanay**, for damages alleged to have been sustained as a result of falling into an open water meter on April 6, 2000 at 495 Flat Shoals Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Pro-Temp Cleta Winslow Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)
CEASAR C. MITCHELL, CHAIR

Claims with Unfavorable Recommendations: (Cont'd)

- 02-R-0515 (6) Claim of **Brenda Swinney**, for damages alleged to have been sustained as a result of vehicular damages due to the resurfacing of the roads during October 2000 at 547 North Avenue.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-0516 (7) Claim of **Kathy Truett**, for damaged alleged to have been sustained as a result of injuries from falling into a hole at a park on August 4, 2001 at "Woodward Park."
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-0517 (8) Claim of **Louis Reynard, through his attorney, Jon Brockman**, for damages alleged to have been sustained as a result of various City Code violations being issued to him during July, August and September 2001 at 4475 East Conway Drive.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-0536 (9) Claim of **Jack Redlinger, through his attorney, William J. McKenney**, for damages alleged to have been sustained as a result of loss of back pay and benefits on November 1, 2001 at 675 Ponce de Leon Avenue.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-0537 (10) Claim of **Martha A. Dasher-Lee**, for damages alleged to have been sustained as a result of personal injuries due to a fall on July 6, 2000 at 84 Walton Street.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-0538 (11) Claim of **Annie Gamble, through her attorney, Andrew S. Ree**, for damages alleged to have been sustained as a result of personal injuries due to driving into an open construction cut in the roadway on December 7, 2001 at 3146 Peachtree Road, NE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Pro-Temp Cleta Winslow Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)
CEASAR C. MITCHELL, CHAIR

Claims with Unfavorable Recommendations: (Cont'd)

- 02-R-0539 (12) Claim of **Michael and Phyllis Hyland, through their attorney, J. Todd Moore**, for damages alleged to have been sustained as a result of personal injuries on January 3, 2002 at the Atlanta Airport.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-0540 (13) Claims of **Arthur Bowen, through his attorney, Clifford M. Weiss**, for damages alleged to have been sustained as a result of personal injuries on December 3, 2001 at the Atlanta Airport Terminal building.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-0541 (14) Claim of **Beneaka Smith**, for damages alleged to have been sustained as a result of a vehicular accident on August 13, 2001 at an undisclosed location.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-0542 (15) Claim of **Shirley Cleaves**, for damages alleged to have been sustained as a result of a fall while exiting the Five Points MARTA Station on July 31, 2001.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-0543 (16) Claim of **Scott C. Peters**, for damages alleged to have been sustained as a result of a vehicular damage due to an open construction cut in the roadway on July 20, 2001 at 1038 West Peachtree Street.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-0544 (17) Claim of **Louis F. Refour, II**, for damages alleged to have been sustained as a result of vehicular damage due to an open construction cut in the roadway on October 15, 2001 at 2300 Glenwood Avenue, SE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Pro-Temp Cleta Winslow Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)
CEASAR C. MITCHELL, CHAIR

Claims with Unfavorable Recommendations: (Cont'd)

- 02-R-0545 (18) Claim of **Bridgett Moore, through her attorneys, Joel and Associates**, for damages alleged to have been sustained as a result of personal injuries due to stepping into an open water meter on October 5, 2000 at 2500 block of Godby Road, College Park.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 02-R-0546 (19) Claim of **Gertrude Jones, through her attorney, James A. Neuberger**, for damages alleged to have been sustained as a result of personal injuries while riding on the escalator on November 12, 2001 at the Atlanta Airport.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 02-R-0547 (20) Claim of **Shirley Schnuer, through her attorney, Stephen L. Goldner**, for damages alleged to have been sustained as a result of falling on a cable in the parking deck on November 22, 2001 at the Atlanta Airport.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 02-R-0548 (21) Claim of **Mabel W. Branch**, for damages alleged to have been sustained as a result of falling on broken curbing in the parking lot on November 16, 2001 at the Atlanta Airport.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 02-R-0549 (22) Claim of **Shelley C. Landy**, for damages alleged to have been sustained as a result of property damage during the Utoy Creek Sewer Separation Project from April 1997 thru June 1998 at 1138 Cascade Avenue.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

Council President Pro-Temp Cleta Winslow Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)
CEASAR C. MITCHELL, CHAIR

Claims with Unfavorable Recommendations: (Cont'd)

- 02-R-0550 (23) Claim of **George and Martha Robinson**, for damages alleged to have been sustained as a result of property damage during the Utoy Creek Sewer Separation Project during the summer of 1996 at 1794 South Gordon Street, SW.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-0551 (24) Claim of **Bertha Pearson**, for damages alleged to have been sustained as a result of property damage during the Utoy Creek Sewer Separation Project on June 22, 1997 at 1804 Alvarado Terrace, SW.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-0552 (25) Claim of **Mable C. Ealey**, for damages alleged to have been sustained as a result of property damage during the Utoy Creek Sewer Separation Project during April 1997 at 1806 Alvarado Terrace, SW.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-0553 (26) Claim of **Yvonne O. Jordan**, for damages alleged to have been sustained as a result of property damage during the Utoy Creek Sewer Separation Project on February 7, 1998 at 867 Pinehurst Terrace, SW.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-0554 (27) Claim of **Peggy T. Gibbs**, for damages alleged to have been sustained as a result of property damage during the Utoy Creek Sewer Separation Project from October thru November 1997 and February 1998 at 1543 Mayflower Avenue, SW.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Pro-Temp Cleta Winslow Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)
CEASAR C. MITCHELL, CHAIR

Claims with Unfavorable Recommendations: (Cont'd)

02-R-0555 (28) Claim of **Richard and Millie Blount**, for damages alleged to have been sustained as a result of property damage during the Utoy Creeks Sewer Separation Project from April 1997 thru June 1998 at 1241 Westmont Road, SW.
**ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

**CONSENT AGENDA
SECTION II**

Council President Pro-Temp Cleta Winslow Presided

CONSENT AGENDA

SECTION II

ORDINANCES FOR FIRST READING

FINANCE/EXECUTIVE COMMITTEE

FELICIA A. MOORE, CHAIR

- 02-O-0594 (1) An Ordinance by **Finance/Executive Committee** to transfer the amount of \$7,500.00 from District Seven (7) Council Member Expense Account to the insurance account for the Garden Hills Park Swimming Pool for the express purpose of defraying the additional insurance expenses; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

CLETA WINSLOW, CHAIR

- 02-O-0487 (2) An Ordinance by **Community Development/Human Resources Committee** authorizing the Mayor to enter into a renewal agreement with the Piedmont Park Conservancy, Inc for a ten (10) year period, for the purpose of allowing the Piedmont Park Conservancy, Inc., to continue to operate and manage the Piedmont Park Visitor's Center on behalf of the Department of Parks, Recreation and Cultural Affairs; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION
- 02-O-0488 (3) An Ordinance by **Community Development/Human Resources Committee** correcting Ordinance 01-O-1596 adopted by City Council on November 5, 2001 and approved by the Mayor November 13, 2001, to correct various cost centers and allocations; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

Council President Pro-Temp Cleta Winslow Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (CONT'D)
CLETA WINSLOW, CHAIR

02-O-0489 (4) An Ordinance by **Community Development/Human Resources Committee** authorizing the Mayor to direct the Department of Planning, Development and Neighborhood Conservation (Bureau of Neighborhood Conservation) to clean the premises and close the various structures, pursuant to Article III of the Atlanta Housing Code and a hearing conducted by the In Rem Review Board on February 28, 2002.

491 Monument Avenue, SE 05

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

02-O-0490 (5) An Ordinance by **Community Development/Human Resources Committee** authorizing the Mayor to direct the Department of Planning, Development and Neighborhood Conservation (Bureau of Neighborhood Conservation) to demolish the premises and clean the various structures, pursuant to Article III of the Atlanta Housing Code and a hearing conducted by the In Rem Review Board on February 28, 2002.

3035 Clarendale Drive, NW 08
610 Kennedy Street, NW 03
996 Mayson Turner Road, NW 03
135 Polar Rock Road, SW 12

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

02-O-0491 (6) An Ordinance by **Community Development/Human Resources Committee** amending the 2002 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations an amount of \$251,443.00 which is the one year budget authority amount authorized by the U.S. Department of Housing and Urban Development (HUD) for the City of Atlanta Section 8 Moderate Rehabilitation Program; and for other purposes.

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

Council President Pro-Temp Cleta Winslow Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (CONT'D)
CLETA WINSLOW, CHAIR

02-O-0520 (7) An Ordinance by **Community Development/Human Resources Committee** amending the City of Atlanta Tree Protection Ordinance, Article 2 of Chapter 158 of the Atlanta City Code (1995), so as to exempt affordable housing units and economic development projects from recompense fees; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

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

02-O-0584 (8) An Ordinance by **Public Safety and Legal Administration Committee** to amend Article "V" Classification Plan, Section 114-477, of the Code of Ordinances, City of Atlanta, Georgia, so as to abolish, create, reclassify, create new classes, adjust salary grades and to approve above entry hiring of certain positions; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

COMMITTEE REPORTS

Council President Pro-Temp Cleta Winslow Presided

COMMITTEE REPORTS

FINANCE/EXECUTIVE COMMITTEE (1)
FELICIA A. MOORE, CHAIR

Attendance at the March 27, 2002 meeting of the Finance/Executive Committee was as follows:

Present: Councilmembers Moore (Chair), Starnes, Maddox, Norwood and Fauver

Absent: Councilmembers Martin and Muller

REPORT

01-TR-0593 (1) A Report of the **Chief Financial Officer** of the transfer of appropriations from one line item to another line item in various funds as approved under Section 6-304(b) of the Charter of the City of Atlanta.

FILED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

ORDINANCE FOR SECOND READING

02-O-0467 (1) An Ordinance by **Councilmembers Felicia A. Moore and H. Lamar Willis as Substituted by Finance/Executive Committee** to amend Section 2-1206 Extension and Expiration of Contracts, of the Code of Ordinances of the City of Atlanta, so as to prohibit the extension of any contract beyond one year; and for other purposes.

FILED SUBSTITUTE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

RESOLUTION

02-R-0163 (1) A Resolution by **Councilmember Debi Starnes** to authorize the Mayor to negotiate a lease renewal option between the City of Atlanta and the Edgewood Rail Car Co., for the Trolley Barn located at 963 Edgewood Avenue.

FILED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Pro-Temp Cleta Winslow Presided

COMMITTEE REPORTS (CONT'D)

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

ITEMS REMOVED FROM CONSENT AGENDA

02-R-0497 (1) A Resolution by **Finance/Executive Committee as Substituted and Amended** authorizing the Mayor to enter into an appropriate contractual agreement with Cooperative Personnel Services (CPS) for FC-7397-02, Process Review and Redesign for Personnel and Human Resources (RFP) on behalf of the Office of the Mayor in an amount not to exceed \$440,312.00. All contracted work shall be charged to and paid from Fund, Account, and Center Number: 3P02 524001 D11T0608QNAO

The above item was removed from the Consent Agenda by request of Councilmember Starnes. Councilmember Starnes offered an Amendment to “require the Mayor submit a monthly status report to the Finance/Executive Committee.” It was properly Seconded and a discussion ensued during which Councilmember Boazman offered a friendly Amendment to present the report to Council as well. Discussion continued upon Council deferring 02-R-0497 to later in the meeting. Later during the meeting, Councilmembers Moore/Starnes offered an Amendment to “delete any updates and/or” and “add Finance Executive Committee and the Full Council.” Properly Seconded, the Moore/Starnes Amendment CARRIED by a roll call vote of 12 yeas; 0 nays. Subsequently, the Motion to Adopt on Substitute as Amended CARRIED by a roll call vote of 11 yeas; 0 nays.

ADOPTED SUBSTITUTE AS AMENDED CARRIED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

Council President Pro-Temp Cleta Winslow Presided

COMMITTEE REPORTS (CONT'D)

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

ITEMS REMOVED FROM CONSENT AGENDA (CONT'D)

02-R-0498 (2) A Resolution by **Finance/Executive Committee as Substituted and Amended** authorizing the Mayor to enter into an appropriate contractual agreement with Thompson, Cobb, Bazilio and Associates for FC-7398-02, Process Review and Redesign for the Procurement Process, (RFP) on behalf of the Office of the Mayor in an amount not to exceed \$516,884.60. All contracted work shall be charged to and paid from Fund, Account and Center Number: 3P02 524001 D11T0608QNAO.

The above item was removed from the Consent Agenda by request of Councilmember Starnes. Councilmembers Moore/Starnes offered an Amendment “to delete any updates and/or” and “add Finance Executive Committee and the Full Council.” Properly Seconded, the Moore/Starnes Amendment CARRIED by a roll call vote of 12 yeas; 0 nays. Subsequently, the Motion to Adopt on Substitute as Amended CARRIED by a roll call vote of 12 yeas; 0 nays.

ADOPTED SUBSTITUTE AS AMENDED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

02-R-0499 (3) A Resolution by **Finance/Executive Committee as Substituted and Amended** authorizing the Mayor to enter into an appropriate contractual agreement with Gartner Consulting for FC-7400-02, Process Review and Redesign for Technology Management, (RFP) on behalf of the Office of the Mayor in an amount not to exceed \$436,000.00. All contracted work shall be charged to and paid from Fund, Account, and Center Number: 3P02 524001 D11T0608QNAO

The above item was removed from the Consent Agenda by request of Councilmember Moore. Councilmember Moore made a Motion to hold the above item until the breast of Council. The Motion CARRIED Without Objection. Later during the Meeting, Councilmember Moore made a Motion to remove the item from the Table. The Motion then CARRIED by a roll call vote of 13 yeas; 1 nay. The resolution was before the Council. Councilmembers Moore/Starnes offered an Amendment “to delete any updates and/or” and “add Finance Executive Committee and the Full Council.” Properly Seconded, the Motion CARRIED by a roll call vote of 14 yeas; 0 nays. Councilmember Moore then made a Motion to Table on Substitute as Amended.

Council President Pro-Temp Cleta Winslow Presided

COMMITTEE REPORTS (CONT'D)

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

ITEMS REMOVED FROM CONSENT AGENDA (CONT'D)

02-R-0499 (3)
(Cont'd)

A Resolution by **Finance/Executive Committee as Substituted and Amended** authorizing the Mayor to enter into an appropriate contractual agreement with Gartner Consulting for FC-7400-02, Process Review and Redesign for Technology Management, (RFP) on behalf of the Office of the Mayor in an amount not to exceed \$436,000.00. All contracted work shall be charged to and paid from Fund, Account, and Center Number: 3P02 524001 D11T0608QNAO

It was Seconded by Councilmember Boazman and the Motion CARRIED by a roll call vote of 13 yeas; 0 nays.

***Note: Council noted the above resolution will be discussed at the Special Called Meeting to be held on April 10, 2002 at 12 noon.**

TABLED SUBSTITUTE AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Pro-Temp Cleta Winslow Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (1)
ANNE FAUVER, CHAIR

Attendance at the April 01, 2002 meeting of the Committee on Council was as follows:

Present: Councilmembers Fauver (Chair), Muller, Norwood, Archibong, Mitchell and Maddox

Absent: Councilmember Boazman

COMMUNICATIONS

The following items (02-C-0576 and 02-C-0577) were taken as a collective vote.

02-C-0576 (1) A Communication by **Mayor Shirley Franklin** reappointing Mr. Nick Moraitakis, to serve on the Zoning Review Board. This reappointment is for a two-year term, scheduled to begin on the date of Council confirmation. **(No Recommendation by Zoning Committee 3/27/02)**
CONFIRMED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

02-C-0577 (2) A Communication by **Mayor Shirley Franklin** appointing Scott Taylor, to serve on the Zoning Review Board. This appointment is for a two-year term scheduled to begin on the date of Council confirmation. **(Favorable by Zoning Committee 3/27/02)**
CONFIRMED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

RESOLUTION

02-R-0583 (1) A Resolution by **Community Development and Human Resources Committee** to appoint Ms. Sadie Dennard, the nominee of the City of Atlanta Board of Education, to the Atlanta Development Authority Board of Directors for a term expiring April 14, 2003. **(Favorable by Community Development/Human Resources Committee 3/26/02)**
CONFIRMED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Pro-Temp Cleta Winslow Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (2)
ANNE FAUVER, CHAIR

ORDINANCES FOR SECOND READING

02-O-0377 (3) An Ordinance by **Committee on Council** amending the Code of Ordinances of the City of Atlanta so as to delete Chapter 2, Article VII, Division 2, Standards of Conduct in its entirety and replace it with new Standards of Conduct; to amend the oath taken by members of Boards and Commissions; and for other purposes. (Held 3/18/02) (Work sessions were held on 3/6/02, 3/14/02 and 3/20/02)

The above item was forwarded from committee with a Favorable on Substitute as Amended recommendation. Chairperson Fauver sounded the above legislation and an extensive discussion ensued followed by Councilmember Shook Substitute Motion to Refer 02-O-0377 back to the Committee on Council. It was Seconded by Councilmember Martin and another discussion ensued. After which, Councilmember Archibong offered an Amendment but before the Motion can be entertained, Council President Pro-Temp Winslow ruled the Refer Motion and the Second to that Motion have to be withdrawn. Councilmember Shook then withdrew his Motion to Refer as like Councilmember Martin withdrew his Second. Upon further discussion, Councilmember Archibong withdrew her Motion to Amend and Councilmember Shook was recognized and re-stated his Motion to Refer the ordinance back to Committee on Council. It was properly Seconded followed by Councilmember Willis Call of the Question. The Motion of the Question was then CARRIED by a unanimous roll call vote of 15 yeas; 0 nays. Subsequently, the Motion the Refer CARRIED by a roll call vote of 9 yeas; 6 nays.

***Note: Council noted for the record the legislation will be discussed at the Special Called Meeting to be held on Wednesday, April 10, 2002 at 12p.m.**

REFERRED SUBSTITUTE AS AMENDED TO COMMITTEE ON COUNCIL BY A ROLL CALL VOTE OF 9 YEAS; 6 NAYS

Council President Pro-Temp Cleta Winslow Presided

COMMITTEE REPORTS (CONT'D)

CITY UTILITIES COMMITTEE (1)

CLAIR MULLER, CHAIR

Attendance at the March 26, 2002 meeting of the City Utilities Committee was as follows:

Present: Councilmembers Muller (Chair), Shook, Willis, Mitchell, Smith, Maddox and Winslow

Absent: None

RESOLUTION

02-R-0519 (1) A Resolution by **City Utilities Committee** authorizing the Mayor to execute Renewal Agreement Number 5 with Waste Management, Inc; for FC-5626-93, Disposal of Municipal Solid Waste at \$23.10 per ton for the first twelve (12) months and \$23.55 per ton for the second twelve (12) months for solid waste disposal and \$45.00 per ton for Solid Waste Solidification for a period of twenty-four (24) months on behalf of the Department of Public Works. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2P01 524001 M34201.

The above item was forwarded from committee with No Recommendation. Chairperson Muller sounded the resolution and made a Motion to accept the Substitute and moved to approve on Substitute. The vote was then CARRIED by a roll call vote of 12 yeas; 1 nay. However, Council was informed by Municipal Clerk Rhonda Johnson that the Motion to bring forth the Substitute was not CARRIED. Therefore, the Motion to bring forth the Substitute was CARRIED by a roll call vote of 13 yeas; 0 nays. The Substitute was before the Council. After which, Councilmember Muller made a Motion to Adopt on Substitute and the Motion CARRIED by a roll call vote of 12 yeas; 1 nay.

ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 12 YEAS; 1 NAY

Acting Council President Pro-Temp Debi Starnes Presided

COMMITTEE REPORTS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (1)
CLETA WINSLOW, CHAIR

Attendance at the March 26, 2002 meeting of the Community Development/Human Resources Committee was as follows:

Present: Councilmembers Winslow (Chair), Starnes, Moore, Archibong, Norwood and Young

Absent: Councilmember Boazman

ITEMS REMOVED FROM CONSENT AGENDA

02-R-0531 (1) A Resolution by **Community Development/Human Resources Committee** endorsing the application by Norsouth Corporation, to the Georgia Department of Community Affairs for Low-Income Housing Tax Credits to develop Brookside Park, a 172-Unit Family Apartment Community at 1780 Metropolitan Parkway; and for other purposes.

NPU-X

Council District 12

The above item was removed from the Consent Agenda by request of Councilmember Boazman. Councilmember Boazman offered an Amendment to “ change the name of the applicant which currently reads Norsouth Corporation to read Brookside Park Limited Partnership wherever it appears in the legislation.” It was properly Seconded and CARRIED by a roll call vote of 11 yeas; 0 nays. Subsequently, the Motion to Adopt as Amended CARRIED by a roll call vote of 12 yeas; 0 nays.

ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

02-R-0589 (2) A Resolution by **Community Development/Human Resources Committee** endorsing the application by Cooperative Resource Center, Inc. to the Georgia Department of Community Affairs for Low-Income Housing Tax Credits to develop Westview Center, a 21-Unit Mixed-Income Live/Work Community located at 1524-1532 & 1537 Ralph David Abernathy Boulevard; and for other purposes.

The above item was removed from the Consent Agenda by request of Councilmember Winslow. Councilmember Winslow offered an Amendment to the resolution “by changing the wording of cooperative resource center to First Iconium Baptist Church.”

Acting Council President Pro-Temp Debi Starnes Presided

COMMITTEE REPORTS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (2)
CLETA WINSLOW, CHAIR

ITEMS REMOVED FROM CONSENT AGENDA (CONT'D)

02-R-0589 (2)
(Cont'd)

A Resolution by **Community Development/Human Resources Committee** endorsing the application by Cooperative Resource Center, Inc. to the Georgia Department of Community Affairs for Low-Income Housing Tax Credits to develop Westview Center, a 21-Unit Mixed-Income Live/Work Community located at 1524-1532 & 1537 Ralph David Abernathy Boulevard; and for other purposes.

It was properly Seconded and CARRIED by a roll call vote of 12 yeas; 0 nays. Subsequently, the Motion to Adopt as Amended CARRIED by a roll call vote of 11 yeas; 0 nays.

**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS**

Council President Pro-Temp Cleta Winslow Presided

COMMITTEE REPORTS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (1)
CEASAR C. MITCHELL, CHAIR

Attendance at the March 26, 2002 meeting of the Public Safety and Legal Administration Committee was as follows:

Present: Councilmembers Mitchell (Chair), Archibong, Smith, Winslow, Shook and Young

Absent: Councilmember Martin

ITEM REMOVED FROM CONSENT AGENDA

02-R-0513 (1) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of lawsuits filed in Fulton County Superior Court by AMK, Inc. vs. the City of Atlanta, Case Number E-70858 and Anthony Randazzo v. AMK, Inc. and the City of Atlanta, Case Number E-70858, for the 23 Claire Drive Sand Pit Clean-Up Project in the amount of \$100,000.00; and for other purposes.

The above item was removed from the Consent Agenda by request of Councilmember Mitchell. Councilmember Mitchell offered an Amendment “to change the Center Number.” It was properly Seconded and CARRIED by a roll call vote of 14 yeas; 0 nays. Subsequently, the Motion to Adopt as Amended CARRIED by a roll call vote of 14 yeas; 0 nays.

**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

RESOLUTION

02-R-0300 (1) Claim of **Ruthie Dooley**, for damages alleged to have been sustained as a result of property damage due to a vehicular accident on November 14, 2001 at 309 E. Rhine Hill Road, SE.
FILED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Pro-Temp Cleta Winslow Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (1)

H. LAMAR WILLIS, CHAIR

Attendance at the March 27, 2002 meeting of the Transportation Committee was as follows:

Present: Councilmembers Willis (Chair), Shook, Moore, Smith and Fauver

Absent: Councilmembers Martin and Boazman

ORDINANCE FOR SECOND READING

02-O-0398 (1) An Ordinance by **Transportation Committee** authorizing the purchase of the leasehold interest of the United States Postal Service in the Lease Agreement with the City of Atlanta for an Air Mail Facility (currently designated as the Airport Mail Center Annex) in the Central Terminal Support Area at Hartsfield Atlanta International Airport, dated October 26, 1979, as amended, in support of the Concourse E Expansion and Landside Access (CEELA) Project, for a cost to the City not to exceed \$5,750,000.00, to be charged to and paid from Fund, Account and Center Number: 2H26 571001 R21E052096AA.

The above item was forwarded from committee with No Recommendation. Chairperson Willis explained the recommendation was due to a request by Council to issue a report with appraisal summary from General Manager Benjamin Dacosta. The information was received, therefore, Councilmember Willis made a Motion to Adopt. It was Seconded by Councilmember Martin and the Motion CARRIED by a roll call vote of 14 yeas; 0 nays.

ADOPTED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Pro-Temp Cleta Winslow Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (2)
H. LAMAR WILLIS, CHAIR

RESOLUTIONS

02-R-0379 (1) A Resolution by **Councilmember Derrick Boazman** to re-bid the Airport Banking Services Contract; and for other purposes.

The above item came from committee with No Recommendation. Councilmember Martin was recognized and made a Motion to Table and the resolution will be on the Agenda for the Special Called Meeting to be held on April 10, 2002 at 12 noon. It was properly Seconded and an extensive discussion ensued followed by the Call of the Question by Councilmember Boazman. The Motion was however withdrawn because the Motion to Table was not debatable. Following, the Motion to Table CARRIED by a roll call vote of 11 yeas; 1 nay.

TABLED BY A ROLL CALL VOTE OF 11 YEAS; 1 NAY

02-R-0481 (2) An **Amended** Resolution by **Transportation Committee** authorizing the Mayor or her designee to execute an Extension Agreement and Second Amendment to Contract FC-6419-95, Lease Agreement First Union National Bank for Banking Services and Foreign Currency Exchange Concession in the Central Passenger Terminal Complex and Concourses at Hartsfield Atlanta International Airport, which shall exercise the City's option for a five (5) year extension on the term of the contract and which shall amend the premises with respect to Automatic Teller Machines, to operations with respect to the Banking Center Weekend Hours, and provide for elimination of Weekend Credits; and for other purposes.

Council President Pro-Temp Cleta Winslow Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (3)

H. LAMAR WILLIS, CHAIR

RESOLUTIONS (CONT'D)

02-R-0481 (2)
(Cont'd)

An **Amended** Resolution by **Transportation Committee** authorizing the Mayor or her designee to execute an Extension Agreement and Second Amendment to Contract FC-6419-95, Lease Agreement First Union National Bank for Banking Services and Foreign Currency Exchange Concession in the Central Passenger Terminal Complex and Concourses at Hartsfield Atlanta International Airport, which shall exercise the City's option for a five (5) year extension on the term of the contract and which shall amend the premises with respect to Automatic Teller Machines, to operations with respect to the Banking Center Weekend Hours, and provide for elimination of Weekend Credits; and for other purposes.

The above resolution was forwarded from committee with No Recommendation as Amended. Councilmember Moore was recognized and offered an Amendment "to delete the language of the contract shall require reauthorization by Council." It was Seconded by Councilmember Starnes and a brief discussion ensued. After which, the Moore Amendment CARRIED by a roll call vote of 13 yeas; 1 nay. Following, Councilmember Boazman made a Motion to Table. It was Seconded by Councilmember Maddox. Subsequently, the Motion to Table as Amended CARRIED by a roll call vote of 13 yeas; 1 nay.

***Note: Council noted for the record the resolution will be discussed at the Special Called Meeting on April 10, 2002 at 12 noon.**

TABLED AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS; 1 NAY

Council President Pro-Temp Clea Winslow Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (4)

H. LAMAR WILLIS, CHAIR

RESOLUTIONS (CONT'D)

02-R-0502 (3) An **Amended** Resolution by **Transportation Committee** authorizing the Mayor to award and execute a Concession Agreement with K-Hojeij Air Concessions, JV, d/b/a Krystal for FC-7100-99, National Branded Hamburger Concession-Concourse "A" (RFP).

The above item was forwarded from committee with a Favorable as Amended recommendation. Chairperson Willis sounded the caption to 02-R-0502 followed by Councilmember Moore offering an Amendment. The Moore Amendment was "to delete the language of the contract shall require reauthorization by Council." It was Seconded by Councilmember Maddox and the Moore Amendment CARRIED by a roll call vote of 13 yeas; 0 nays. Subsequently, the Motion to Adopt as Amended CARRIED by a roll call vote of 14 yeas; 0 nays.

ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

02-R-0503 (4) A Resolution by **Transportation Committee** authorizing the purchase, pursuant to the option of the City of Atlanta dated January 18, 2002, from Airport Properties, Inc., of certain real property located near Roosevelt Highway in College Park, Fulton County, Georgia, comprising approximately 4,254 square feet, for a negotiated purchase price of \$45,000.00, and furthermore authorizing the purchase, pursuant to an agreement with the College Park Business and Industrial Development Authority, of certain real property located on Horton Drive in College Park, Fulton County, Georgia, comprising approximately 1.771 acres for a negotiated purchase price of \$211,000.00, both parcels to be charged to and paid from Fund, Account and Center Number: 2H21 571001 R21001; and for other purposes.

The above resolution was forwarded with No Recommendation from committee. Chairperson Willis stated the reason for forwarding with said recommendation due to requested information from General Manager Dacosta. The information being received, Councilmember Willis made a Motion to Adopt. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; 0 nays.

ADOPTED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Pro-Temp Cleta Winslow Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (5)
H. LAMAR WILLIS, CHAIR

RESOLUTIONS (CONT'D)

02-R-0505 (5) A **Substitute** Resolution by **Transportation Committee as Amended** authorizing the Aviation General Manager to extend Contract FC-6989-98 with Perishables Group International JV, LLC, for Operation, Maintenance and Marketing of the Airport Perishables Complex at Hartsfield Atlanta International Airport, on a month to month basis for an extended term not to exceed October 1, 2002 and which shall be for an amount not to exceed \$90,000.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2H01 523001 R13001.

The Motion from committee was Favorable on Substitute as Amended. Councilmember Moore was recognized and offered an Amendment to “delete the language of the contract shall require reauthorization by Council.” It was Seconded by Councilmember Maddox and the Moore Amendment CARRIED by a roll call vote of 12 yeas; 0 nays. Subsequently, the Motion to Adopt on Substitute as Amended CARRIED by a roll call vote of 12 yeas; 0 nays.

ADOPTED SUBSTITUTE AS AMENDED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

02-R-0508 (6) A Resolution by **Transportation Committee** authorizing the Mayor or her designee to execute the necessary agreements with Gate Gourmet, Inc., for purchase of the Leasehold Interest of Gate Gourmet, Inc., in the Lease Agreement with City of Atlanta for a Flight Kitchen in the Central Terminal Support Area (CTSA) at Hartsfield Atlanta International Airport, dated March 31, 1993, as amended, in support of the Concourse E Expansion and Landside Access (CEELA) Project, for a cost to the City not to exceed \$10,000,000.00, to be charged to and paid from Fund, Account and Center No. 2H26 571001 R21E052096AA: and for other purposes.

The above item was forwarded with No Recommendation on Condition. The condition was upon receipt of documentation from General Manager Dacosta. The information being received, Chairperson Willis made a Motion to Adopt. It was properly Seconded and CARRIED by a roll call vote of 12 yeas; 1 nay.

ADOPTED BY A ROLL CALL VOTE OF 12 YEAS; 1 NAY

Council President Pro-Temp Cleta Winslow Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (6)

H. LAMAR WILLIS, CHAIR

ITEM REMOVED FROM CONSENT AGENDA

02-R-0561 (1) A Resolution by **Councilmember Howard Shook as Amended by Transportation Committee** authorizing the Mayor to execute a detailed agreement, on behalf of the City of Atlanta, with Metropolitan Atlanta Rapid Transit Authority providing for the realignment of Lindbergh Drive and exchange of property at Roxboro Road, Armour Circle and Plasters Bridge Road; and for other purposes.

The above item was removed from the Consent Agenda by request of Councilmember Shook. Mr. Shook offered an Amendment “to add an additional “Be It Further Resolved” clause that reads: Undeveloped greenspace as shown on the URS plan will be developed as park space.” It was properly Seconded and the Shook Amendment CARRIED by a roll call vote of 13 yeas; 0 nays. Subsequently, the Motion to Adopt as Amended CARRIED by a roll call vote of 13 yeas; 0 nays; 1 abstention.

***Note: Councilmember Mitchell noted for the record of his abstention to the above item due to a potential conflict of interest.**

**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS;
0 NAYS; 1 ABSTENTION**

Council President Pro-Temp Cleta Winslow Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (1)

DEBI STARNES, CHAIR

Attendance at the March 27, 2002 meeting of the Zoning Committee was as follows:

Present: Councilmembers Starnes (Chair), Young, Norwood, Archibong, Smith, Shook and Willis

Absent: None

ORDINANCES FOR SECOND READING

The following items (1 – 5) were taken as a collective vote.

02-O-0357 (1)
Z-02-04 An Ordinance by **Zoning Committee** to rezone from the R-4A (Single-Family Residential) District to the RG-3 (Residential General-Sector 3) District, property located at the **rear of 1780 Metropolitan Parkway, S.W. (AKA 1914, 1922 and 1970 Metropolitan Parkway and various additional addresses)**. Property has no frontage on Metropolitan Parkway but has various frontages on Leola Street, Spring Place, Climax Place, Adams Street and Saint Johns Avenue. Depth: varies; Area: approximately 15 acres; Land Lot 90, 14th District, Fulton County, Georgia. Owner: Bertrand M. Parks; Applicant: David H. Dixon; By: Carl E. Westmoreland, Jr., esq., Attorney; NPU-X Council District 12.

ADOPTED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

02-O-0180 (2)
Z-02-06 An Ordinance by **Zoning Committee** designating the Edward C. Peters House (A/K/A Ivy Hall), located at **179 Ponce De Leon Avenue, NE**, Land Lot 49 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 C2/LBS (Commercial Service/Landmark Building or Site) to C2/LBS (Commercial Service/Landmark Building or Site); to repeal conflicting laws; and for other purposes.

ADOPTED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

02-O-0112 (3)
U-01-54 An Ordinance by **Zoning Committee** granting a Special Use Permit for a church (Section 16-06.005 (1) (c), property located at **17-31 Meldon Avenue, S.E. and 20 Parks Avenue, S.E.**, fronting 260 feet on the Southwesterly side of Lansing Street beginning at the Northwest corner of Meldon Avenue. Depth: varies; Area: 1.045 Acres; Land Lot 57, 14th District, Fulton County, Georgia. Owner: Mt. Pleasant Baptist Church; Applicant: Same; NPU-Y Council District 1.

ADOPTED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Pro-Temp Cleta Winslow Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (2)

DEBI STARNES, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0355 (4)
U-02-02 An Ordinance by **Zoning Committee** granting a Special Use Permit for a truck terminal (Section 16-17.005 (1) (p), property located at **1045 South River Industrial Boulevard, S.E.**, fronting 558.59 feet on the East side of Forest Park Road beginning at the Southeast corner of South River Industrial Boulevard. Depth: 864.86 feet; Area: 10.138 Acres; Land Lot 5, 14th District, Fulton County, Georgia. Owner: The 4-M Operating Corp.; Applicant: Benton Express, Inc.; By: Stephen F. Fusco esq., Attorney; NPU-Z Council District 1.

ADOPTED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

02-O-0354 (5)
U-02-03 An Ordinance by **Zoning Committee** granting a Special Use Permit for a church (Section 16-07.005 (1) (c), property located at **956-978 Metropolitan Parkway, S.W./597-603 Arthur Street, S.W./951-967 Dewey Street, S.W.** fronting 255 feet on the North side of Arthur Street beginning at the Northeast corner of Metropolitan Parkway. Depth: varies; Area: 1.626 Acres; Land Lot 87, 14th District, Fulton County, Georgia. Owner: The Salvation Army, a Georgia Corporation; Applicant: Same; NPU-V Council District 4.

ADOPTED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

02-O-0381 (6)
Z-02-16 A **Substitute** Ordinance by **Zoning Committee** to amend Ordinance Z-82-34, adopted by City Council May 3, 1982 and approved by the Mayor May 4, 1982, rezoning from the R-5 (Two-Family Residential) District to the O-I-C (Office-Institutional-Conditional) District (now zoned O-I-C/HD-Office-Institutional-Conditional/Grant Park Historic District); property located at **355 Georgia Avenue, S.E.** for the purpose of approving a change of conditions. NPU-W Council District 1.

ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Pro-Temp Cleta Winslow Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (3)
DEBI STARNES, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0356 (7)
Z-02-05/Z-99-02 A **Substitute** Ordinance by **Zoning Committee** to amend Ordinance Z-99-02, adopted by City Council April 5, 1999 and approved by operation of law April 13, 1999, rezoning from the RG-2 (Residential General-Sector 2) District to the RG-3-C (Residential General-Sector 3-Conditional) District, property located at **3655 Peachtree Road, N.E.**, for the purpose of approving a revised site plan and change of conditions. Owner: Fred Filsoof; Applicant: David Green; NPU-B Council District 7.

The above ordinance was forwarded from committee with No Recommendation on Substitute. Councilmember Shook offered an Amendment to add the conditions as stated from a correspondence from Mr. Phillip Mays dated March 28, 2002. It was properly Seconded and the Shook Amendment CARRIED by a roll call vote of 13 yeas; 0 nays. Subsequently, the Motion to Adopt on Substitute as Amended CARRIED by a roll call vote of 13 yeas; 0 nays.

ADOPTED SUBSTITUTE AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

02-O-0048 (8) An Ordinance by **Zoning Committee** authorizing the Mayor or her designee to amend the Zoning Ordinance and the maps established in connection therewith be changed so that the following property located at **1316 Boulevard, S.E.** be changed from the R-4 (Single Family Residential) District to the C-1 (Community Business) District; and for other purposes.

ADVERSED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

02-O-0043 (9)
Z-01-40 An Ordinance by **Zoning Committee** to rezone from the C-2 (Commercial Service) District to the PD-MU (Planned Development-Mixed Use) District, property located at **563 Memorial Drive, S.E.**, fronting 199.63 feet on the South side of Memorial Drive beginning at the Southeast corner of Park Avenue. Depth: 200 feet; Area: .9165 Acres; Land Lot 44, 14th District, Fulton County, Georgia. Owner: D and S Acquisitions Group, LLC; Applicant: Urban Realty Partners, LLC; By: Mark B. Riley and John Reagan; NPU-W Council District 1.

FILED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Pro-Temp Cleta Winslow Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (4)
DEBI STARNES, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0050 (10)
Z-01-96

An Ordinance by **Councilmember Debi Starnes** as **Substituted by Zoning Committee** to amend the 1982 Zoning Ordinance of the City of Atlanta, as amended, so as to create a New Chapter to be entitled 20L, Inman Park Historic District; to establish overlay regulations for said district, to enact, by reference and incorporation, a map establishing the boundaries of said district; and to designate and zone all properties lying within the boundaries of said district to the Overlay Zoning Category of Historic District (HD) pursuant to Chapter 20 of the Zoning Ordinance of the City of Atlanta, rezoning from R5 (Two-Family Residential), RG1 (Residential General Sector 1), RG2 (Residential General Sector 2), RG3 (Residential General Sector 3), RLC (Residential-Limited Commercial), RLC-C (Residential-Limited Commercial Conditional), C1 (Community Business), C2 (Commercial Service), C2C (Commercial Service Conditional), I1 (Light Industrial), I2 (Heavy Industrial), and SPI5 (Inman Park Special Public Interest), to R5/HD (Two-Family Residential/Historic District), RG1/HD (Residential General Sector 1/Historic District), RG2/HD (Residential General Sector 2/Historic District), RG3/HD (Residential General Sector 3/Historic District), RLC/HD (Residential-Limited Commercial/Historic District), RLC-C/HD (Residential-Limited Commercial Conditional/Historic District), C1/HD (Community Business/Historic District), C2/HD (Commercial Service/Historic District), C2C/HD (Commercial Service Conditional/Historic District), I1/HD (Light Industrial/Historic District), I2/HD (Heavy Industrial/Historic District), and SPI5/HD (Inman Park Special Public Interest/Historic District); to repeal conflicting laws; and for other purposes.

The above item was forwarded from committee with a Favorable on Substitute recommendation. However, Councilmember Starnes made a Substitute Motion to Refer the ordinance back to the Zoning Committee. It was properly Seconded and CARRIED by a roll call vote of 12 yeas; 0 nays.

***Note: Council noted the above ordinance will be discussed at the Special Called Meeting to be held April 10, 2002 at 12 noon.**

REFERRED SUBSTITUTE TO ZONING COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Pro-Temp Cleta Winslow Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (5)

DEBI STARNES, CHAIR

ORDINANCES FOR FIRST READING

- 02-O-0590 (1)
CDP-02-12 An Ordinance by **Zoning Committee** to amend the Land Use Element of the City of Atlanta 2002 Comprehensive Development Plan (CDP) so as to re-designate property that is located in **Inman Park Historic District**, Subarea 3, from the "Industrial" Land Use Designation to the "Low Density Commercial" Land Use Designation; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND ZONING COMMITTEE WITHOUT OBJECTION
- 02-O-0591 (2) An Ordinance by **Zoning Committee** to amend the 1982 City of Atlanta Zoning Ordinance, as amended, so as to amend Section 16-28.008 (10) so as to permit a vendor permitted to conduct business on a specific parcel of property to conduct business at that location indefinitely.
REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION
- 02-O-0592 (3)
U-80-34 An Ordinance by **Zoning Committee** to amend Ordinance U-80-34 adopted by the City Council November 3, 1980 and approved by the Mayor November 11, 1980, granting a Special Use Permit for Accessory Parking for Industrial Use. Property located at **Gault Street and Casanova Street, SE**, for the purpose of approving a transfer of Ownership and a Revised Site Plan.

NPU-Y

Council District 1

REFERRED TO ZONING COMMITTEE WITHOUT OBJECTION

PERSONAL PAPERS

Council President Pro-Temp Cleta Winslow Presided

PERSONAL PAPERS

RESOLUTIONS/ADOPTED

02-R-0691 (1) A Resolution by **Councilmember Carla Smith** authorizing the Mayor to enter into an agreement with Oakmont Place Community Association, Inc. providing for the non-standard location of water meters on private property located Unincorporated Fulton County, Georgia, to which the City provides water services; and for other purposes.

Councilmember Smith made a Motion to Adopt the above resolution. It was properly Seconded and CARRIED by a roll call vote of 12 yeas; 0 nays.

ADOPTED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

02-R-0692 (2) A Resolution as **Amended** by **Councilmember Ivory Young** rescinding Resolution 02-R-0365 and authorizing the Mayor to execute a Memorandum of Understanding among the City of Atlanta, the Atlanta high intensity drug trafficking area, the Metro Atlanta Crime Commission, and the Georgia National Guard to provide for the demolition of vacant or abandoned structures identified as unfit for human habitation pursuant to the City's Housing Code and located in the English Avenue and Vine City Neighborhoods at no cost to the City; and for other purposes.

Councilmember Young made a Motion to Adopt the above resolution. It was properly Seconded followed by a brief discussion. After which, Councilmember Young offered an Amendment to the Caption by adding the language "rescinding resolution 02-R-0365." It was properly Seconded and the Motion to approve the Young Amendment CARRIED by a roll call vote of 14 yeas; 0 nays. Subsequently, the Motion to Adopt as Amended CARRIED by a roll call vote of 14 yeas; 0 nays.

ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

ORDINANCES/REFERRED

02-O-0664 (1) An Ordinance by **Councilmembers Debi Starnes and Anne Fauver** to amend the City of Atlanta Code of Ordinances by establishing and adopting a new Article VIII of Chapter 138, entitled "On-Street Bicycle Racks"; and for other purposes.

REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

Council President Pro-Temp Cleta Winslow Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

02-O-0665 (2) An Ordinance by **Councilmember Debi Starnes** authorizing the Mayor to anticipate and appropriate \$13,000.00 from the State of Georgia, Department of Transportation in order to reimburse Central Atlanta Progress, Inc. for advancing the State's portion of funding the Techwood Drive Extension Study/Peters Street Bridge Replacement Alternatives Study; and for other purposes.

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

02-O-0666 (3) An Ordinance by **Councilmembers Debi Starnes and Howard Shook** amending the 2001 Water and Wastewater Bond Construction Fund Budget in the amount of \$8,000,000.00 for the construction of the Indian Creek Sewer Improvements as required by the First Amended Consent Decree; and for other purposes.

REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

02-O-0667 (4)
Z-02-19 An Ordinance by **Councilmember C.T. Martin** to rezone from the R-4 (Single-Family Residential) District to the R-LC (Residential-Limited Commercial) District, property located at **3379 Martin Luther King, Jr. Drive, N.W.**, fronting 125.0 feet on the northern easterly side of Martin Luther King Jr., Drive beginning 578.0 feet southeasterly from the northeast corner of Brownlee Road.

Depth: 455.8 Feet
Area: Approximately 56,975 Square Feet
Land Lots 243 & 244, 14th District, Fulton County, Ga.
Owner: Geraldine E. Perry
Applicant: Same
NPU-H Council District 10

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

02-O-0668 (5) An Ordinance by **Councilmembers C.T. Martin and Cleta Winslow** to amend Article "V", Classification Plan, Section 114-477, of the Code of Ordinances, City of Atlanta, Georgia, so as to create, reclassify, create new class of certain positions; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

Council President Pro-Temp Clela Winslow Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

02-O-0671 (6) An Ordinance by **Councilmember Natalyn Mosby Archibong** transferring \$121,250.00 from the 2001 Quality of Life Improvement Bonds Administrative Account to the 2001 Quality of Life Improvement Bonds East Atlanta Village Center Public Plaza and Greenspaces Account; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

02-O-0672 (7) An Ordinance by **Councilmember Ceasar C. Mitchell** authorizing the City Attorney to settle the case of Glen Falls Insurance Company v. the City of Atlanta and Charles David Smith, Civil Action No. 01-VS-017385 in the State Court of Fulton County, Georgia; and for other purposes.

REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

02-O-0673 (8) An Ordinance by **Councilmembers Ceasar C. Mitchell and H. Lamar Willis** amending the 2002 Trust fund Budget by adding to anticipations and appropriations in the amount of \$60,000.00 from a grant from the accounting firm of Pricewaterhouse Coopers to assist the City of Atlanta's Fire Department with the program expenses of the Neighborhood Emergency Response Team; to authorize the Mayor to sign all necessary grant agreements; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

02-O-0674 (9) An Ordinance by **Councilmember Ceasar C. Mitchell** amending the 2002 (Intergovernmental Grant Fund) Budget, Office of the Solicitor, by adding to anticipations and appropriations in the amount of \$600,000.00 for a Grant - Funded Community Gun Violence Prosecution Program intended to enhance prosecution of gun related crimes in the City of Atlanta; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

02-O-0675 (10) An Ordinance by **Councilmember Ceasar C. Mitchell** 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 application to certify that the property owner of the proposed licensed premises has been notified on Section 10-109(h); and for other purposes.

REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

Council President Pro-Temp Cleta Winslow Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

02-O-0676 (11) An Ordinance by **Councilmember H. Lamar Willis** authorizing the reimbursement to the Aviation Fund for expenses incurred on behalf of the General fund in the amount of \$_____ as identified in Internal Audit Reports issued in 2000 and 2001; and for other purposes.

REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION

02-O-0678 (12) An Ordinance by **Councilmember Clair Muller** amending the 2002 (Water and Sewage Revenue Fund) Budget in the amount of \$2,809,133.87 to fund the Water and Sewerage portion of Landfill Disposal Contract; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

02-O-0679 (13) An Ordinance by **Councilmember Clair Muller** to amend Ordinance No. 94-O-0445 so as to provide that any contract between the City of Atlanta and the City of Atlanta Solid Waste Management Authority be for any purpose for which the Authority is authorized to undertake pursuant to O.C.G.A. § 12-8-56, to repeal conflicting Ordinances; and for other purposes.

REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

02-O-0685 (14) A Resolution by **Councilmember Derrick Boazman** to abandon Adams Street from St. Johns Avenue to Climax Place lying and being in Land Lot 90 of District 14, Fulton County, Georgia to abandon Climax Place from Metropolitan Parkway to Interstate 75/85 (Lakewood Freeway) lying and being in Land Lot 90 of District 14, Fulton County, Georgia; to abandon Spring Place and Leola Street from Metropolitan Parkway toward Scott Street lying and being in Land Lot 90 of District 14, Fulton County Georgia; and for other purposes.

REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

Council President Pro-Temp Cleta Winslow Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

- 02-O-0686 (15) An Ordinance by **Councilmembers Cleta Winslow, Ceasar Mitchell and Derrick Boazman** to amend Ordinance 01-O-2017 to extend Interim Development Controls on Permits for new construction, exterior rehabilitation and modifications to the exterior of existing structures in the Mechanicsville Neighborhood; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION
- 02-O-0687 (16) An Ordinance by **Councilmember Cleta Winslow** to change the effective date of creation for that portion of the Castleberry Hill Mixed-Use Residential /Commercial Enterprises Zone known as the Castleberry Inn/Legacy at Castleberry Hill (Phase II) from January 1, 1996 to January 1, 2003; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION
- 02-O-0688 (17) An Ordinance by **Councilmembers Cleta Winslow and Derrick Boazman** to change the name of One West End Housing Enterprise Zone to the Cornerstone Terrace Housing Enterprise Zone and to change the effective date of creation for the Cornerstone Housing Enterprise Zone from January 1, 1996 to January 1, 2003; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION
- 02-O-0689 (18) An Ordinance by **Councilmember Debi Starnes** to amend the Inman Park Residential Parking Permit Program to include Seminole Avenue between Cleburne and the dead-end.
REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION
- 02-O-0690 (19) An Ordinance by **Councilmember Felicia A. Moore** authorizing among other things, the issuance and sale of tax anticipation notes in the Aggregate Principal Amount of \$_____
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

Council President Pro-Temp Cleta Winslow Presided

PERSONAL PAPERS (CONT'D)

RESOLUTIONS/REFERRED

- 02-R-0669 (1) A Resolution by **Councilmember Ivory Lee Young, Jr.** endorsing the application by Affordable Equity Partner, Inc. to the Georgia Department of Community Affairs for Low-Income Housing Tax Credits to develop Penelope Place, a 95-Unit Senior Housing Community at 1810 Anderson Avenue; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION
- 02-R-0670 (2) A Resolution by **Councilmember Jim Maddox** authorizing the Mayor to apply for a Livable Communities (LCI) Study Implementation Program Grant in an amount not to exceed \$35,000.00 from the Atlanta Regional Commission to develop design guidelines for the Greenbriar Project Area with respect to proposed Transportation Improvements and Zoning changes as identified in the Greenbriar LCI Study; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION
- 02-R-0680 (3) A Resolution by **Councilmember Clair Muller** authorizing the creation of a Task Force for the purpose of reviewing the City's Street Name Change Policy and Developing Recommendations to address perceived problems; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION
- 02-R-0681 (4) A Resolution by **Councilmember Clair Muller** authorizing the Mayor or her Designee to impose a Moratorium on Street Name Changes for six months; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION
- 02-R-0682 (5) A Resolution by **Councilmember Clair Muller** to amend Sections 162-118(d) of the Atlanta City Code specially the Legal Description of the Buckhead Flat Rate Zone; so as to add back the Chastain Park Area of the City into the Legal Description of the Buckhead Flat Rate Zone; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION
- 02-R-0683 (6) A Resolution by **Councilmember Clair Muller** amending Article I, Section 2, of the Code of Ordinances to add a new provision requiring the Registration and Identification of Lobbyists on City property; to repeal conflicting ordinances to the extent of the conflict with this ordinance; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

Council President Pro-Temp Cleta Winslow Presided

PERSONAL PAPERS (CONT'D)

RESOLUTIONS/REFERRED (CONT'D)

02-R-0684 (7) A Resolution by **Councilmember Clair Muller** amending the 2002 (Water and Sewage Renewal Extension Fund) Budget in the amount of \$360,000.00 to fund equipment needs at the North Area Water Treatment Plant; and for other purposes.

REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

02-R-0677 (8) A Resolution by **Councilmembers H. Lamar Willis** authorizing the Mayor or her designee to execute a Memorandum of Understanding with the Federal Transportation Security Administration for reimbursement of approximately \$6 million for providing law enforcement officers at the security check point and other parts at Hartsfield Atlanta International Airport until December 31, 2003; and for other purposes.

REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION

ADJOURNMENT

Council President Pro-Temp Cleta Winslow Presided

ADJOURNMENT

There being no further business to discuss the April 01, 2002 meeting of the Atlanta City Council was adjourned at 6:34 p.m.

ADJOURNMENT ROLL CALL: Council President Cathy Woolard (B); Councilmembers Smith, Starnes, Young, Winslow, Fauver, Shook, Muller, Moore, Martin, Maddox, Boazman, Mitchell, Norwood and Willis (14); Councilmember Archibong did not record her vote (1).