

ATLANTA CITY COUNCIL

ACTION/MINUTES

JULY 01, 2002

The Atlanta City Council held its Regularly Scheduled Meeting on Monday, July 01, 2002. The Meeting convened at 1:04 p.m. in the Council Chambers at City Hall. The roll was called and a quorum was declared.

PRESIDER: The Honorable Cathy Woolard, Council President presided.

Attendance:

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

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	

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: Mrs. Rhonda Dauphin Johnson, Municipal Clerk, certified to the Council and the Committee on Council, that the **Action Minutes** of the **June 17, 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 **July 01, 2002** meeting was **ADOPTED** without objection.

COMMUNICATIONS

Council President Cathy Woolard Presided

COMMUNICATIONS

02-C-1242 (1) A Communication by **Mayor Shirley Franklin** re-appointing Cecil Phillips to serve as a member of the Atlanta Housing Authority Board of Commissioners on behalf of the City of Atlanta. This appointment is for a term of five (5) 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-1236 (2) A Communication by **Mayor Shirley Franklin** appointing Deborah D. Jensen to serve as a member of the Municipal Market Board of Directors of the City of Atlanta. 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-1237 (3) A Communication by **Mayor Shirley Franklin** appointing Patrice D. Russell to serve as a Taxicabs & Vehicles for Hire Hearing Officer for the City of Atlanta. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.

REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

02-C-1238 (4) A Communication by **Mayor Shirley Franklin** appointing Joy Barnes to serve as a member of the License Review Board of the City of Atlanta. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.

REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

02-C-1239 (5) A Communication by **Mayor Shirley Franklin** appointing Councilmember Ceasar Mitchell to serve as a member of the Budget Commission of the City of Atlanta. This appointment is for a term of one (1) year.

Councilmember Martin made a Motion to approve the above communication. It was properly Seconded and 2/3 of the Council by a show of hands was in agreement of the confirmation. Therefore, the Motion to Confirm was CARRIED by a roll call vote of 12 yeas; 0 nays.

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

Council President Cathy Woolard Presided

COMMUNICATIONS (CONT'D)

02-C-1241 (6) A Communication by **Mayor Shirley Franklin** appointing Laura Lawson 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 and does not require Council confirmation, and thus, is scheduled to begin on June 28, 2002.

FILED WITHOUT OBJECTION

02-C-1240 (7) A Communication by **Mayor Shirley Franklin** appointing Cynthia Tabb 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 and does not require Council confirmation, and thus, is scheduled to begin on June 28, 2002.

FILED WITHOUT OBJECTION

02-C-1243 (8) A Communication by **Felicia Strong-Whitaker**, Director for the Bureau of Purchasing and Real Estate submitting the corrected monthly contract status report for May 2002 to the Atlanta City Council and Clerk of Council in accordance with Section 2-1142 of the Code of Ordinances for the City of Atlanta.

FILED WITHOUT OBJECTION

02-C-1244 (9) 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 June 17, 2002 and July 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 Cathy Woolard Presided

VETOED LEGISLATION

NONE

UNFINISHED BUSINESS

Council President Cathy Woolard Presided

UNFINISHED BUSINESS

02-O-0883 (1)
CDP-02-15

An **Amended** Ordinance by **Community Development/ Human Resources 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 at **54 and 34 Fairburn Road, SW**, from the “Single Family Residential” Land Use Designation to the “Low Density Commercial” Land Use Designation; and for other purposes. **(Public Hearing held on 6/10/02) (Favorable by CD/HR Committee 6/11/02)**

NPU-H

Council District 10

Councilmember Martin made a Motion for the above item to remain on the Table. Without Objection, the Motion CARRIED.

TABLED AS AMENDED WITHOUT OBJECTION

02-O-0477 (2)
Z-02-13

A **Substitute** Ordinance by **Zoning Committee** to rezone from the RG-2 (Residential General-Sector 2) District to the C-1 (Community Business) District, property located at **18-34-54 Fairburn Road, SW**, fronting 406.32 feet on the east side of Fairburn Road beginning 243.2 feet south from the southeast corner of Martin Luther King, Jr. Drive.

Depth: Varies
Area: 2.19 Acres More or Less
Land Lot: 243, 14th District, Fulton County, Georgia
Owner: Dwight Jackson
Applicant: Byron Washington
NPU-H Council District 10

Councilmember Martin made a Motion for the above item to remain on the Table. Without Objection, the Motion CARRIED.

TABLED SUBSTITUTE WITHOUT OBJECTION

02-O-0083 (3)

An Ordinance by **Councilmember Clair Muller as Substituted #2 by Finance/Executive Committee** amending Section 2-1292 of the City’s Code of Ordinances to clarify procedures for authorizing the City’s Purchasing Agent’s execution of contract modifications and change orders to City contracts; to clarify certain errors and inconsistencies in the Code Section; and for other purposes.

Councilmember Muller made a Motion for the above item to remain on the Table and it CARRIED Without Objection.

TABLED SUBSTITUTE WITHOUT OBJECTION

**CONSENT AGENDA
SECTION I**

Council President Cathy Woolard Presided

CONSENT AGENDA

There was no separate discussion of the following items with the exception of items 02-O-0853, 02-R-1121 and 02-O-0664 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, Fauver, Shook, Muller, Moore, Maddox, Boazman, Mitchell, Norwood and Willis* **0 Nays;** with the exception of item 02-R-1121, which Councilmember Young noted his abstention on the said item due to a potential conflict of interest. Therefore, a separate vote was taken on 02-R-1121 by a roll call vote of **13 Yeas:** *Councilmembers Smith, Starnes, Winslow, Archibong, Fauver, Shook, Muller, Moore, Maddox, Boazman, Mitchell, Norwood and Willis;* **0 Nays; 1 Abstention:** *Councilmember Young.*

The Previous vote for the Consent Agenda was recorded as 14 yeas; 1 nay. However, Councilmember Smith, voting on the prevailing side, made a Motion to reconsider the Consent Agenda for the purpose of Councilmember Starnes to remove legislation. It was properly Seconded and CARRIED by Voice Vote. The Consent Agenda was then before the Council. Councilmember Starnes removed item 02-O-0664, thereafter, the Motion to Adopt the Consent Agenda was CARRIED by a roll call vote of 14 yeas; 0 nays.

SECTION I

ORDINANCES FOR SECOND READING

TRANSPORTATION COMMITTEE

H. LAMAR WILLIS, CHAIR

02-O-0718 (1) An Ordinance by **Transportation Committee** to amend Code of Ordinances, Part II-General Ordinances, Chapter 150 Traffic and Vehicles, Article IV, Stopping, Standing and Parking Division 4, Residential Permit Parking; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

02-O-1021 (2) A **Substitute** Ordinance by **Transportation Committee** amending the 2002 (Airport Renewal & Extension Fund) Budget to transfer to and from appropriations in the amount of \$343,800.00 for Grant Agreement 3-13-0008-41 to acquire land for noise compatibility; and for other purposes.
**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE
OF 14 YEAS; 0 NAYS**

Council President Cathy Woolard 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-1022 (3) An **Amended** Ordinance by **Transportation Committee** to anticipate and appropriate grant funds in the amount of \$7,037,180.00 from the Federal Aviation Administration in Grant Agreement 3-13-0008-52, compensation for direct cost associated with new, additional or revised security requirements on or after September 11, 2001; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

FINANCE/EXECUTIVE COMMITTEE

FELICIA A. MOORE, CHAIR

- 02-O-1119 (4) An Ordinance by **Councilmember Clair Muller as Substituted by Finance/Executive Committee** to amend Article "V" Classification Plan, Section 114-477, of the Code of Ordinances, City of Atlanta, Georgia, so as to abolish, create, reclassify, and adjust the salary of certain positions in the Department of Aviation, Judicial Agencies and Public Works; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 02-O-1142 (5) An Ordinance by **Councilmember Jim Maddox as Amended by Finance/Executive Committee** transferring appropriations in the amount of \$7,500.00 for the purpose of providing a Service Grant to the Atlanta Convention and Visitors Bureau; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

CITY UTILITIES COMMITTEE

HOWARD SHOOK, VICE-CHAIR

- 02-O-0602 (6) A **Substitute** Ordinance by City Utilities Committee enacting street and sidewalk design standards for Negotiated Traditional Neighborhood Developments (NTDT); and for other purposes.
(Referred back by Council 6/17/02)
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Cathy Woolard Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

CITY UTILITIES COMMITTEE (CONT'D)

HOWARD SHOOK, VICE-CHAIR

02-O-0664 (7) An Ordinance by **Councilmembers Debi Starnes and Anne Fauver as Substituted by City Utilities Committee** to amend the City of Atlanta Code of Ordinances by establishing and adopting a new Article VIII of Chapter 138 entitled "Bicycle Racks Within The City Right-Of-Way"; and for other purposes.

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

SEE CITY UTILITIES COMMITTEE REPORT

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

CLETA WINSLOW, CHAIR

02-O-1013 (8) An Ordinance by **Community Development/Human Resources Committee** authorizing the Mayor to grant a permanent construction and maintenance easement to the Georgia Power Company for installation and maintenance of new outdoor lighting and new underground electrical distribution system services within Piedmont Park, located in Land Lots 54 and 55 of the 17th District of Fulton County, Georgia; the Piedmont Park Conservancy, Inc., Organization will pay all costs associated with this installation and maintenance services in accordance with the Piedmont Park Master Plan, on behalf of the Department of Parks, Recreation and Cultural Affairs, Bureau of Parks; and for other purposes.

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

02-O-1148 (9) An Ordinance by **Councilmembers Mary Norwood, H. Lamar Willis, Anne Fauver, Cleta Winslow, Carla Smith, Natalyn Archibong, C. T. Martin, Clair Muller, Debi Starnes, Ceasar Mitchell, Jim Maddox, Derrick Boazman, Howard Shook and Ivory Lee Young, Jr.** to amend Chapter 74, Article V of the Code of Ordinances by adding Section 74-173 so as to define an unclean vacant lot as a nuisance per se; and for other purposes.

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

Council President Cathy Woolard Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

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

- 02-O-0864 (10) An Ordinance by **Councilmember Derrick Boazman** to create the Crescent Hills/Hammond Park Village Housing Enterprise Zone; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

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

- 02-O-0853 (11) An Ordinance by **Councilmembers Carla Smith, C. T. Martin, Clair Muller, Mary Norwood, Natalyn Archibong, Debi Starnes, Howard Shook, Ivory Lee Young, Jr. and Ceasar C. Mitchell as Amended by Public Safety and Legal Administration Committee** to amend Chapter 150, Article IV, Division 1 of the Atlanta City Code so as to add Section 150-99 prohibiting a person from stopping, standing or parking a vehicle on a sidewalk; and for other purposes.

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

SEE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE REPORT

- 02-O-1017 (12) An Ordinance by **Public Safety and Legal Administration Committee** amending the 2002 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations in the amount of \$75,000.00 from the Governor's Office of Highway Safety to fund the Car Safety Seat Fitting Station Program developed by the Atlanta Fire Department; and for other purposes. To authorize the Mayor, or her designee, to sign all necessary grant agreements; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Cathy Woolard Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

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

- 02-O-1020 (13) An Ordinance by **Public Safety and Legal Administration Committee** authorizing settlement of all claims of Sherry Hobbs, individually and as administratrix of the Estate of Darryl Hobbs, in the case of Hobbs v. Dupree, Civil Action File No. 98VS0150936C, in the State Court of Fulton County, State of Georgia, to cause payment to be made in the amount of \$45,000.00; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

RESOLUTIONS

TRANSPORTATION COMMITTEE
H. LAMAR WILLIS, CHAIR

- 02-R-1143 (1) A Resolution by **Councilmember Jim Maddox** expressing appreciation to the Signage Task Force; acknowledging receipt of the signage study; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

FINANCE/EXECUTIVE COMMITTEE
FELICIA A. MOORE, CHAIR

- 02-R-1104 (2) A Resolution by **Finance/Executive Committee** authorizing the City of Atlanta to enter into a Statewide Mutual Aid and Assistance Agreement formulated by the Georgia Emergency Management Agency.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

- 02-R-1120 (3) A Resolution by **Finance/Executive Committee** authorizing the Purchasing Agent to utilize the State of Georgia Contract S-007455 with Bindley Western for the purchase of pharmaceutical drugs on behalf of the Bureau of Corrections in an amount not to exceed \$100,000.00.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Cathy Woolard Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, CHAIR

02-R-1121 (4) A Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into an appropriate contractual agreement with Aviation Constructors, Inc., for FC-7329-01, DOA Office Improvements Remodeling of Eastern Credit Union Building on behalf of the Department of Aviation in an amount not to exceed \$459,429.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2H21 573001 R210E04039999.

Councilmember Young 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**

02-R-1122 (5) A Resolution by **Finance/Executive Committee** authorizing the Purchasing Agent to utilize the State of Georgia Contract S-090706 with Xerox Corporation for the purchase of Docucolor 50 Digital Copier on behalf of the Department of Aviation in an amount not to exceed \$26,100.00.

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

02-R-0470 (6) A Resolution by **Councilmembers Felicia A. Moore and Howard Shook as Substituted by Finance/Executive Committee** requesting that the City of Atlanta Audit Committee and the City Internal Auditor address concerns from the 2001 Budget Review by identifying examples of practices that led to the 2001 Budget shortfall in audits now in progress or planned for the rest of 2002, by considering the findings of the 2001 Budget Review in selecting programs for future audits, and by providing a summary report to the Mayor and City Council in November 2002; and for other purposes.

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

Council President Cathy Woolard Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, CHAIR

02-R-0810 (7) A Resolution by **Finance/Executive Committee** authorizing the Mayor to issue a Notice to Proceed with TDC Systems Integration, for FC-7341-01, Annual Contract for Structured Wiring Cabling and Network Connectivity for the installation and configure of Network Appliance Filer on behalf of the Department of Aviation based on hourly billing rates and equipment component pricing in an amount not to exceed \$115,070.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2H01 521106 R12006.

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

02-R-1182 (8) A Resolution by **Finance/Executive Committee** to rescind Resolution No. 02-R-0504 adopted by the Council May 20, 2002 and approved by the Mayor May 28, 2002 in order to correct the contracting entity name and the not to exceed amount that appeared in Resolution 02-R-0504. The replacement resolution will authorize the Mayor to enter into an appropriate contractual agreement with Norred & Associates, Inc. for FC-7348-01, Gate Guard Security Services at Hartsfield Atlanta International Airport, on behalf of the Department of Aviation in an amount not to exceed \$2,824,168.32, annually; all contracted work shall be charged to and paid from Fund, Account and Center Number: 2H01 523001 R32001.

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

CITY UTILITIES COMMITTEE

HOWARD SHOOK, VICE-CHAIR

02-R-1118 (9) A Resolution by **City Utilities Committee** approving refunds on Water-Sewer Accounts.

Underground Leaks: Mr. Michael Straus, 5021 Northside Drive, NW

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

Council President Cathy Woolard Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

CITY UTILITIES COMMITTEE (CONT'D)

HOWARD SHOOK, VICE-CHAIR

- 02-R-1146 (10) A Resolution by **Councilmember Carla Smith as Amended by City Utilities Committee** authorizing the Mayor to accept and execute an agreement between the City of Atlanta and the Grant Park Neighborhood Association for the erection of Neighborhood Monuments within certain rights-of-way; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 02-R-1177 (11) 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 \$13,500.00 as stipulated penalties for the violation of CSO Fecal Coliform Operational Standards 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
- 02-R-1179 (12) A Resolution by **City Utilities Committee** amending Resolution 02-R-0888 to correct the budget year dates for the second year of the term to begin March 16, 2002 and end March 31, 2003, Montgomery Watson/Khafra-JV, for Contract FC-7093-99, Program Management Services for the Atlanta Wastewater System Improvements, pursuant to the terms and conditions of the contract, in an amount not to exceed \$20,900,000.00 to be charged to and paid from Fund, Account and Center Number: 2J27 524001 T31001.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Cathy Woolard Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

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

02-R-1101 (13) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to enter into a lease agreement so as to allow Mr. Willie Billingslea to live in the Caretaker's House on the Department of Parks, Recreation and Cultural Affairs' property located at 7110 Recreation Lane, Acworth, Georgia, rent free in exchange for security and caretaker services, on behalf of the Department of Parks, Recreation and Cultural Affairs, Bureau of Recreation; and for other purposes.

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

02-R-1102 (14) An **Amended** Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to enter into various lease agreements at the John C. Birdine, Dunbar and Georgia Hill Street Neighborhood Service Centers at a rental rate of \$8.44 per square foot for a period of three (3) years from the date of execution of said lease agreement on behalf of the Department of Parks, Recreation and Cultural Affairs; all rental monies shall be deposited into the Revenue Generated, General Fund, Account and Center Number: 1A01 462201 B00001; and for other purposes.

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

02-R-1103 (15) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to enter into a Lease Agreement with the Piedmont Park Soccer Council (a Non-Profit Organization) for a period of three (3) years with an option to renew for an additional two (2) year period, for allowing the Soccer Council to operate jointly with the City of Atlanta, Department of Parks, Recreation and Cultural Affairs the soccer fields and restroom facilities located next to the Tennis Center inside Piedmont Park; and for other purposes.

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

Council President Cathy Woolard Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

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

- 02-R-1145 (16) A Resolution by **Councilmember Natalyn Archibong** requesting the Office of Urban Design/Urban Development, Department of Planning, Development and Neighborhood Conservation to conduct the Hosea Williams Commercial Corridor Study in conjunction with the Kirkwood Community and the Kirkwood Master Plan Process; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

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

- 02-R-1134 (17) A Resolution by **Public Safety and Legal Administration Committee** authorizing payment in the amount of \$3,381.78 in settlement of the claim of Eric J. Hulsman against the City of Atlanta; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1135 (18) A Resolution by **Public Safety and Legal Administration Committee** authorizing payment in the amount of \$8,500.00 in settlement of the claim of Candes Styles against the City of Atlanta; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1136 (19) A Resolution by **Public Safety and Legal Administration Committee** authorizing payment in the amount of \$66,412.25 to Ronald G. Whittle in settlement of his claim against the City of Atlanta.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1176 (20) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor to apply for and once approved, accept from the Edward Byrne Memorial Grant Program, a grant for Criminal Justice Records Improvements (CJRI) in the amount of \$62,808.00; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Cathy Woolard Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

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

Claims with Favorable Recommendations:

- 02-R-1072 (1) Claim of **Harvey Hoff**, for damages alleged to have been sustained as a result of damage to his driveway and stone wall from June through October 2001 at 1075 Robin Lane, NE. **\$2,000.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1073 (2) Claim of **Portia Moss**, for damages alleged to have been sustained as a result of a vehicular accident on March 18, 2002 at Northside Drive and Fair Street. **\$2,000.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1074 (3) Claim of **Esther K. Lofton**, for damages alleged to have been sustained as a result of a sewer backup on February 24, 2002 at 4698 Greenleaf Circle, SW. **\$700.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1075 (4) Claim of **Gerald N. Huie**, for damages alleged to have been sustained as a result of a vehicular accident on September 27, 2001 at Sidney Marcus Boulevard and Piedmont Avenue. **\$2,000.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1124 (5) Claim of **Lynda Padfield**, for damages alleged to have been sustained as a result of driving over steel storm grates on January 3, 2002 at Marietta Street and Howell Mill Road. **\$567.09**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1125 (6) Claim of **Donald L. Eberhart**, for damages alleged to have been sustained as a result of a vehicular accident on February 20, 2002 at 1721 Browning Street, SW. **\$1,304.96**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Cathy Woolard Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

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

Claims with Favorable Recommendations: (Cont'd)

02-R-1126 (7) Claim of **Curtis Jackson, Jr.**, for damages alleged to have been sustained as a result of driving his motorcycle over an unsecured sewer construction site on January 26, 2002 at 3152 Valleydale Drive, SW. **\$1,879.78**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Claims with Unfavorable Recommendations:

02-R-1076 (8) Claim of **Nayoung Kim, Foltz Martin LLC.**, for damages alleged to have been sustained as a result of vehicular damage due to driving over a pothole on May 4, 2002 at 5788 Roswell Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

02-R-1077 (9) Claim of **Brian Marshall**, for damages alleged to have been sustained as a result of vehicular damage due to driving over a pothole on February 26, 2002 at 3131 Peachtree Road, NE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

02-R-1078 (10) Claim of **Kelvin Davidson**, for damages alleged to have been sustained as a result of vehicular damage due to driving over a pothole on May 3, 2002 at 6189 Roswell Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

02-R-1079 (11) Claim of **Laith Haddadin**, for damages alleged to have been sustained as a result of vehicular damage due to driving over a pothole on May 5, 2002 at 5170 Roswell Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

02-R-1080 (12) Claim of **Margarita Tselesin**, for damages alleged to have been sustained as a result of a sewer backup on December 11, 2001 at 2900 Lookout Place, NE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Cathy Woolard Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

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

Claims with Unfavorable Recommendations: (Cont'd)

- 02-R-1081 (13) Claim of **Jeffrey A. Frankel**, for damages alleged to have been sustained as a result of property damage and personal injuries due to a fall on the sidewalk on April 14, 2002 at 469 Peachtree Hills Avenue, NE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1082 (14) Claim of **Judith Haubert**, for damages alleged to have been sustained as a result of vehicular damage due to driving over an unsafe construction cut in the roadway on September 5, 2001 at 1252 North Avenue, NE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1083 (15) Claim of **Christopher and Rebecca Childs**, for damages alleged to have been sustained as a result of driving over a metal construction plate in the roadway on January 31, 2002 at 5095 Roswell Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1084 (16) Claim of **Pamela Johnson**, for damages alleged to have been sustained as a result of a City police officer executing a search warrant on January 17, 2002 at 450 Todd Street, SE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1085 (17) Claim of **Anne W. Stanley**, for damages alleged to have been sustained when a correction notice was erroneously issued for two tomato cages on June 6, 2001 at 131 Springdale Drive, NE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1086 (18) Claim of **James H. Murphy**, for damages alleged to have been sustained as a result of a sewer backup on January 22, 2002 at 1227 Paces Forest Drive.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Cathy Woolard Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

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

Claims with Unfavorable Recommendations: (Cont'd)

- 02-R-1087 (19) Claim of **Linda Saunders**, for damages alleged to have been sustained as a result of an automobile accident on December 22, 2001 at 3393 Peachtree Road, NE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1088 (20) Claim of **Daniel P. Walsh**, for damages alleged to have been sustained as a result of driving over a pothole in the road on January 22, 2000 at 2101 Tula Street, NW.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1089 (21) Claim of **Risa Goldberg**, for damages alleged to have been sustained as a result of driving over a pothole in the road on January 22, 2002 at 1277 Lenox Park Boulevard.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1090 (22) Claim of **John F. Woodham**, for damages alleged to have been sustained as a result of the unjust 2000 and 2001 Sanitary Services Bills for 159 East Wesley Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1091 (23) Claim of **Kwietha Bolden**, for damages alleged to have been sustained as a result of City police officers responding to a burglary call on December 30, 2001 at 201 Clair Drive.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1092 (24) Claim of **A. Eloise Joyner**, for damages alleged to have been sustained when a driveway apron was broken during the City's removal of a limb that fell from a tree on the City's right-of-way on May 6, 2002 at 2114 Hosea L. Williams Drive, NE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Cathy Woolard Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

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

Claims with Unfavorable Recommendations: (Cont'd)

- 02-R-1093 (25) Claim of **DEACS, Bar-B-Que**, for damages alleged to have been sustained as a result of property damage during the construction of the Hollywood Road Bridge during 2001 at 1437 Hollywood Road, NW.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1094 (26) Claim of **Doo Drop Inn Convenience Store**, for damages alleged to have been sustained as a result of property damage during the construction of the Hollywood Road Bridge during 2001 at 1437 Hollywood Road, NW.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1095 (27) Claim of **Doo Drop Inn Package Store**, for damages alleged to have been sustained as result of property damage during the construction of the Hollywood Road Bridge during 2001 at 1437 Hollywood Road, NW.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1096 (28) Claim of **National Casualty Company as subrogee of Willennium Transportation Service (DBA) William Platt**, for damages alleged to have been sustained as a result of a cave-in in the roadway on February 19, 2002 at 235 Farrington Avenue, SE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1097 (29) Claim of **Sally G. Smithgall**, for damages alleged to have been sustained as a result of a broken sewer pipeline on March 2002 at 2690 Habersham Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1098 (30) Claim of **Leonard Berman**, for damages alleged to have been sustained as a result of driving over a pothole in the roadway on October 24, 2001 at Bellemeade Avenue and Howell Mill Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Cathy Woolard Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

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

Claims with Unfavorable Recommendations: (Cont'd)

- 02-R-1099 (31) Claim of **Yvonne Craine, through her attorney, Bruce Hagen**, for damages alleged to have been sustained as a result of a cave-in in the roadway on February 19, 2002 at 235 Farrington Avenue, SE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1127 (32) Claim of **John Genins**, for damages alleged to have been sustained as an illegal 2001 election.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1128 (33) Claim of **John Genins**, for damages alleged to have been sustained as a result of property damage on November 25, 2001 at 3145 Towerview Drive, NE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1129 (34) Claim of **Francine L. Green**, for damages alleged to have been sustained as a result of driving over a metal plate in the roadway on March 6, 2002 on DeKalb Avenue.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1130 (35) Claim of **Wyndham Atlanta Hotel, through it's attorney, Daniel McGinnis**, for damages alleged to have been sustained as a result of a water leak onto its property at 160 Spring Street.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1131 (36) Claim of **Rushie Jones**, for damages alleged to have been sustained as a result of a vehicular incident on February 1, 2002 at 3010 Campbellton Road, SW.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Cathy Woolard Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

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

Claims with Unfavorable Recommendations: (Cont'd)

- 02-R-1132 (37) Claim of **Andrea Owens**, for damages alleged to have been sustained as a result of a vehicular incident on December 1, 2001 at 3010 Campbellton Road, SW.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1133 (38) Claim of **Mamady Sylla**, for damages alleged to have been sustained as a result of an assault on May 31, 2002 at 460 Stonewall Street.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

**CONSENT AGENDA
SECTION II**

Council President Cathy Woolard Presided

CONSENT AGENDA

SECTION II

ORDINANCES FOR FIRST READING

TRANSPORTATION COMMITTEE

H. LAMAR WILLIS, CHAIR

- 02-O-1105 (1) An Ordinance by **Transportation Committee** authorizing the Mayor or her designee to make the intersection of Adkins Road, NW and Crosby Drive an All-Way Stop.
REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION
- 02-O-1106 (2) An Ordinance by **Transportation Committee** amending the 2002 (Airport Renewal & Extension Fund) Budget by transferring to and from appropriations the amount of \$___ to provide adequate funding for the Financial Feasibility Consultant for the Hartsfield Development Program at Hartsfield Atlanta International Airport; and for other purposes.
REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION
- 02-O-1108 (3) A **Substitute** Ordinance by **Transportation Committee** amending the 2002 (Airport Renewal & Extension Fund) Budget by transferring to and from appropriations the amount of \$39,988,850.00 to adjust for funding omitted from the Aviation Section of the 2002 Adopted Budget; and for other purposes.
REFERRED SUBSTITUTE TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION
- 02-O-1109 (4) An Ordinance by **Transportation Committee** authorizing the Mayor or her designee to make the intersection of Antone Street, NW and Tallulah Street an All-Way Stop.
REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION
- 02-O-1110 (5) An Ordinance by **Transportation Committee** authorizing the Mayor or her designee to make the intersection of Murray Hill Avenue, NE and Wisteria Way an All-Way Stop.
REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION
- 02-O-1111 (6) An Ordinance by **Transportation Committee** authorizing the Mayor or her designee to make the intersection of Beaverbrook Drive, NW and Brookview Drive an All-Way Stop.
REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION

Council President Cathy Woolard Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

TRANSPORTATION COMMITTEE (CONT'D)

H. LAMAR WILLIS, CHAIR

- 02-O-1112 (7) An Ordinance by **Transportation Committee** authorizing the Mayor or her designee to make the intersection of Berkeley Avenue, NW, Forrest Street and Forrest Way an All-Way Stop.
REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION
- 02-O-1113 (8) An Ordinance by **Transportation Committee** authorizing the Mayor or her designee to make the intersection of Delaware Avenue, SE and Palatine Avenue an All-Way Stop.
REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION
- 02-O-1114 (9) An Ordinance by **Transportation Committee** authorizing the Mayor or her designee to make the intersection of Delaware Avenue, SE and Grant Street an All-Way Stop.
REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION
- 02-O-1115 (10) An Ordinance by **Transportation Committee** authorizing the Mayor or her designee to make the intersection of Federal Terrace, SE and Park Avenue an All-Way Stop.
REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION
- 02-O-1116 (11) An Ordinance by **Transportation Committee** authorizing the Mayor or her designee to make the intersection of Harold Avenue, NE and Marlbrook Drive an All-Way Stop.
REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION
- 02-O-1117 (12) An Ordinance by **Transportation Committee** authorizing the Mayor or her designee to make the intersection of LaFrance Street, NE and Mayson Avenue an All-Way Stop.
REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION

Council President Cathy Woolard Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE
CLETA WINSLOW, CHAIR

02-O-1100 (13) An Ordinance by **Community Development/Human Resources Committee** authorizing the Mayor to grant an updated existing permanent easement acquired by the Georgia Power Company in 1911 from Julian B. Thompson for parcels of land at 120 Hyacinth Avenue/21185 Verbena Street in Land Lot 179 of the 14th District, Fulton County, Georgia; presently owned by the City of Atlanta and known as the Verbena Street Playlot, so as to define the right-of-way width to 100' wide, on behalf of the Department of Parks, Recreation and Cultural Affairs, Bureau of Parks; and for other purposes.

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

02-O-1175 (14) An Ordinance by **Community Development and Human Resources Committee** repealing Ordinance number 02-O-0836 which established a moratorium on the acceptance and issuance of the Type III Certificate of Appropriateness Applications by the Atlanta Urban Design Commission on new buildings in all areas of the Cabbagetown Landmark District and adopting a moratorium on the Acceptance of Type III Certificate of Appropriateness Applications by the Atlanta Urban Design Commission for new construction of any type on vacant lots; new construction on lots where no primary structure already exists; reconstruction of a demolished primary structure which is demolished after May 28, 2002; and the development of site parking, in all areas of the Cabbagetown Landmark District; and for other purposes.

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

COMMITTEE REPORTS

Council President Cathy Woolard Presided

COMMITTEE REPORTS

TRANSPORTATION COMMITTEE (1)

H. LAMAR WILLIS, CHAIR

Attendance at the June 26, 2002 meeting of the Transportation Committee was as follows:

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

Absent: None

RESOLUTION

02-R-1107 (1) A Resolution by **Transportation Committee** authorizing the Mayor or her designee on behalf of the City of Atlanta to apply to the Federal Aviation Administration (FAA) for approval to impose and use or impose only Passenger Facility Charge (PFC) authorization at Hartsfield Atlanta International Airport pursuant to applicable Federal Regulations and to expend approved funds for certain eligible Airport Projects; to take all necessary and appropriate actions required to establish and implement the PFC at the maximum rate as may be authorized by the FAA; and for other purposes.

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

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (1)

IVORY L. YOUNG, JR., VICE-CHAIR

Attendance at the June 26, 2002 meeting of the Zoning Committee was as follows:

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

Absent: Councilmember Starnes

ORDINANCES FOR SECOND READING

The following items (02-O-0696 and 02-O-0878) were taken as a collective vote.

02-O-0696 (1)
Z-02-30 An Ordinance by **Zoning Committee** to amend Ordinance Z-01-53/Z-84-96, as amended, as adopted by City Council December 3, 1984 and approved by the Mayor on December 5, 1984 rezoning from the O-I (Office-Institutional), O-I-C (Office-Institutional-Conditional) and R-3 (Single Family Residential) Districts to the PD-OC (Planned Development-Office Commercial District, property located at **3495-3525-3565 Piedmont Road, N.E.** for the purpose of deleting conditions on the site plan, as amended by the Council on November 5, 2001 and approved by City Charter Section 2-403 on November 14, 2001 and replacing said conditions with new conditions contained in this Ordinance. Owner: Piedmont Ivy Associates, LLC; Applicant: same; By: Carl E. Westmoreland, Jr., Esq.; NPU-B Council District 7.

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

02-O-0878 (2)
Z-02-40 An Ordinance by **Zoning Committee** to rezone from the R-4 (Single-Family Residential) District to the PD-H (Planned Development-Housing) District, property located at **3535 Boulder Park Drive, N.W.**, fronting 85 feet on the North side of Boulder Park Drive beginning 368.5 feet from the Northeast corner of Howell Terrace and Boulder Park Drive. Depth: varies; Area: 5.0712 acres; Land Lot 244 of the 14th District, Fulton County, Georgia. Owner: Allen Sheppard; Applicant: Mayweather Enterprise, Inc.; NPU-H Council District 10.

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

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (2)

IVORY L. YOUNG, JR., VICE-CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0244 (3)
Z-02-17 An Ordinance by **Councilmember Anne Fauver as Substituted and Amended by the Zoning Committee** to amend Chapter 20B, Druid Hills Landmark District, of the 1982 Zoning Ordinance of the City of Atlanta, as amended, by modifying the statement of intent, correcting certain references within said Chapter 20B, amending the Landscape Standards, providing for all variances to be heard and decided by the Urban Design Commission; and for other purposes.
ADOPTED SUBSTITUTE AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

The following items (02-O-0827 and 02-O-0822) were taken as a collective vote.

02-O-0827 (4)
Z-02-21 An Ordinance by **Councilmember Debi Starnes as Substituted by Zoning Committee** to rezone from the R-4A (Single-Family Residential) District to the R-4B-C (Single-Family Residential-Conditional) District, property located at **2498 (AKA 2484) Forrest Avenue, N.W.** fronting 79.71 feet on the Westerly side of Forrest Place beginning at the Southwest corner of Forrest Avenue. Depth: 196.40 feet; Area: 11,424 square feet; Land Lot 253, 17th District, Fulton County, Georgia. Owner: Mark Mather; Applicant: same; NPU-D Council District 9.
ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

02-O-0822 (5)
Z-02-26 An Ordinance by **Councilmember Debi Starnes as Substituted by Zoning Committee** to rezone from the R-5 (Two-Family Residential) District to the RG-3-C (Residential General-Sector 3-Conditional) District, property located at **80 Jackson Street, S.E./71 Lucy Street, S.E. (AKA 76 Jackson Street, S.E./77 Lucy Street, S.E.,** fronting 99.77 feet on the Easterly side of Jackson Street beginning at the Southeast corner of Lucy Street. Property also fronts 97.42 feet on the West side of Lucy Street. Depth: 121.75 feet; Area: 0.262 acre; Land Lot 45, 14th District, Fulton County, Georgia. Owner: Gregory B. Evans; Applicant: William L. Stephenson; NPU-M Council District 5.
ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (3)

IVORY L. YOUNG, JR., VICE-CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0885 (6) An Ordinance by **Community Development/Human**
CDP-02-17 Resources 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 at **1119 Memorial Drive, SE**,
from the "Industrial" Land Use Designation to the "Low Density
Commercial" Land Use Designation; and for other purposes.
(Public Hearing held on 6/10/02) (Favorable by CD/HR Committee 6/11/02)

NPU-N

Council District 5

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

02-O-0828 (7) An Ordinance by **Councilmember Debi Starnes as Substituted**
Z-02-20 **by Zoning Committee** to rezone from the I-1 (Light Industrial)
District to the C-1-C (Community Business-Conditional) District,
property located at **1111-1119 Memorial Drive, S.E.**, fronting
149.95 feet on the Southeasterly side of Memorial Drive beginning
at the Southwest corner of Howell Drive. Depth: varies; Area: 2.22
acres; Land Lots 12 and 13, 14th District, Fulton County, Georgia.
Owner: Patricia Elmore; Applicant: Ornstein Investments, LLC and
Preston and Associates; By: Matt Ornstein; NPU-N Council
District 5.

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

02-O-0476 (8) An Ordinance by **Zoning Committee** to rezone from the R-5 (Two-
Z-02-12 Family Residential) District to the RG-3 (Residential General-
Sector 3) District, property located at **626 Somerset Terrace,**
N.E., fronting 50 feet on the West side of Somerset Terrace
beginning approximately 40 North from the Northwest corner of
North Avenue. Depth: 192.52 feet; Area: 9626 square feet; Land
Lot 17, 14th District, Fulton County, Georgia. Owner: Cooper
Richter; Applicant: Robert J. Denson; NPU-N Council District 2.

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

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (4)

IVORY L. YOUNG, JR., VICE-CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0886 (9) An Ordinance by **Community Development/Human**
CDP-02-18 **Resources 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 at **1030 Grant Circle, SE**, from the "Industrial" Land Use Designation to the "Low Density Commercial" Land Use Designation; and for other purposes. **(Public Hearing held on 6/10/02)**

NPU-W

Council District 1

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

02-O-0825 (10) An Ordinance by **Councilmember Debi Starnes** as
Z-02-23 **Substituted by Zoning Committee** to rezone from the I-1 (Light Industrial) District to the C-1-C (Community Business - Conditional) District, property located at **1030 (a.k.a. 380-390) Grant Circle, SE**, fronting 264.18 feet on the northerly side of Grant Circle beginning 385 feet east from the northeast corner of Grant Street. **(Favorable by CD/HR Committee 6/25/02) (Held 5/29/02)**

Depth: Varies
Area: 1.53863 Acres
Land Lot: 42, 14th District, Fulton County, Georgia
Owner: Peachtree Fidelity, LLC
Applicant: R. Wayne Lamar
NPU-W Council District 1

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

ORDINANCES FOR FIRST READING

02-O-1180 (1) An Ordinance by **Zoning Committee** to amend Ordinance U-
U-79-12 79-12, adopted by City Council August 20, 1979 and approved by the Mayor August 28, 1979, granting a Special Use Permit for a Day Care Center, property located at **2062 Childress Drive, SW**, for the purpose of approving a Transfer of Ownership. **REFERRED TO ZONING COMMITTEE WITHOUT OBJECTION**

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (5)

IVORY L. YOUNG, JR., VICE-CHAIR

ORDINANCES FOR FIRST READING (CONT'D)

- 02-O-1181 (2) An Ordinance by **Zoning Committee** to amend Section 6-1007, fees of the City of Atlanta Code of Ordinances so as to establish application fees for the LW (Live Work), MRC (Mixed Residential Commercial) and MR (Multi-Family Residential) Districts.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

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

Attendance at the June 26, 2002 meeting of the Finance/Executive Committee was as follows:

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

Absent: Councilmembers Starnes and Muller

ORDINANCE FOR SECOND READING

02-O-1150 (1) An Ordinance by **Councilmember Felicia A. Moore** authorizing the Mayor to execute a Second Amendment to Contract to Purchase by and among the Downtown Development Authority of the City of Atlanta, Georgia and the City of Atlanta, Georgia; for the purpose of permitting a Refunding of the Downtown Development Authority of the City of Atlanta, Georgia. Refunding Revenue Bonds (Underground Atlanta Project); Series 1992; including certain interest rate SWAP Agreements in connection therewith; and for other purposes.

The above item was forwarded from committee with No Recommendation. Chairperson Moore made a Motion to bring forth a Substitute. It was Seconded by Councilmember Boazman. Without Objection, the Substitute was before the Council. Councilmember Moore then made a Motion to Adopt on Substitute. It was properly Seconded and an extensive discussion ensued in which Councilmember Smith Called the Question. The Motion of the Question was CARRIED by Voice Vote. Subsequently, the Motion to Adopt on Substitute CARRIED by a roll call vote of 12 yeas; 2 nays.

ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 12 YEAS; 2 NAYS

RESOLUTIONS

02-R-1042 (1) A Resolution by **Councilmembers Debi Starnes and Carla Smith** authorizing the Mayor to enter into a Renewal Lease Agreement with Masquerade, Inc., for use during certain hours of a City Parking Lot located on the south side of North Avenue and west side of Angier Avenue, NE, known as Parcel No. 14-18-1 21 in Land Lot 18 of the 14th District of Fulton County, Georgia; and for other purposes.

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

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

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

RESOLUTIONS (CONT'D)

02-R-1138 (2) A Resolution by **Councilmember Clair Muller** authorizing the Mayor on behalf of the City of Atlanta to enter into a Lease/Management Agreement with the North Atlanta Swim Association, Inc., a 501(c) (3) Organization, for a period of two and one half (2 1/2) years with an option to renew for an additional two (2) year period, for the management, operation, and maintenance of the Chastain Park Pool and Grounds.

The above item was forwarded from committee with No Recommendation. Councilmember Moore, as prerogative as Chair, made a Motion to Adopt because the information that was requested had been received. A discussion ensued, during which, Councilmember Norwood offered an Amendment to add a Section 5 to state, "that the terms of this agreement are based upon Fulton County Health Department issuing the required permit for pool operation." The Norwood Amendment was accepted as a Friendly Amendment Without Objection. A brief discussion ensued in which Councilmember Moore Called the Question and the Motion CARRIED by Voice Vote. Subsequently, the Motion to Adopt as Amended CARRIED by a unanimous roll call vote of 15 yeas; 0 nays.

ADOPTED AS AMENDED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (1)
ANNE FAUVER, CHAIR

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

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

Absent: None

COMMUNICATIONS

The following items (02-C-1153 and 02-C-1154) were taken as a collective vote.

02-C-1153 (1) A Communication by **Mayor Shirley Franklin** reappointing Elder Brown to serve as a member of the Atlanta Housing Authority Board of Commissioners for a term of one (1) year, scheduled to begin on the date of Council confirmation. **(Favorable by Community Development/Human Resources Committee, 6/25/02)**
CONFIRMED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

02-C-1154 (2) A Communication by **Mayor Shirley Franklin** reappointing Ms. Eva Davis to serve as a member of the Atlanta Housing Authority Board of Commissioners for a term of one (1) year, scheduled to begin on the date of Council confirmation. **(Forwarded Without Recommendation by Community Development/Human Resources Committee, 6/25/02)**
CONFIRMED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

02-C-1155 (3) A Communication by **Mayor Shirley Franklin** appointing Ms. Delia Champion as a member of the License Review Board of the City of Atlanta for a period of two years, scheduled to begin on the date of Council confirmation. **(Forwarded Without Recommendation by Public Safety and Legal Administration Committee, 6/25/02)**
FILED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

02-C-1156 (4) A Communication by **Mayor Shirley Franklin** appointing Mr. John H. Sparks to serve as a Taxicabs & Vehicles for Hire Hearing Officer for a term of two years, scheduled to begin on the date of Council confirmation. **(Favorable by Public Safety and Legal Administration Committee, 6/25/02)**
CONFIRMED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (2)
ANNE FAUVER, CHAIR

COMMUNICATIONS (CONT'D)

The following items (5 – 7) were taken as a collective vote.

02-C-1157 (5) A Communication by **Mayor Shirley Franklin** appointing Ms. Melissa Chambers to serve as a member of the Municipal Market Board of Directors of the City of Atlanta for a term of two (2) years, scheduled to begin on the date of Council confirmation. **(Favorable by Community Development/Human Resources Committee, 6/25/02)**
CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

02-C-1158 (6) A Communication by **Mayor Shirley Franklin** appointing Mr. Caleb Racicot to serve as a member of the Municipal Market Board of Directors of the City of Atlanta for a term of two (2) years, scheduled to begin on the date of Council confirmation. **(Forwarded Without Recommendation by Community Development/Human Resources Committee, 6/25/02)**
CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

02-C-1159 (7) A Communication by **Mayor Shirley Franklin** appointing Mr. Michael J. McCooey to serve as a member of the Municipal Market Board of Directors of the City of Atlanta for a term of two (2) years, scheduled to begin on the date of Council confirmation. **(Forwarded Without Recommendation by Community Development/Human Resources Committee 6/25/02)**
CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

The following items (8 – 13) were taken as a collective vote.

02-C-1160 (8) A Communication by **Mayor Shirley Franklin** appointing Ms. Vivien Davenport to serve as a member of the Citizens Service Planning Review Commission. This appointment is for a staggered term of one-to-three (1-3) years to be subsequently determined, and is scheduled to begin on the date of Council confirmation. **(Forwarded Without Recommendation by Finance/Executive Committee, 6/26/02)**
CONFIRMED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (3)
ANNE FAUVER, CHAIR

COMMUNICATIONS (CONT'D)

- 02-C-1162 (9) A Communication by **Mayor Shirley Franklin** appointing Ms. Gladys L. Taylor to serve as a member of the Citizens Service Planning Review Commission. This appointment is for a staggered term of one-to-three (1-3) years to be subsequently determined, and is scheduled to begin on the date of Council confirmation. **(Forwarded Without Recommendation by Finance/Executive Committee, 6/26/02)**
CONFIRMED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 02-C-1164 (10) A Communication by **Mayor Shirley Franklin** appointing Mr. Christopher Newman to serve as a member of the Citizens Service Planning Review Commission. This appointment is for a staggered term of one-to-three (1-3) years to be subsequently determined, and is scheduled to begin on the date of Council confirmation. **(Forwarded Without Recommendation by Finance/Executive Committee, 6/26/02)**
CONFIRMED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 02-C-1166 (11) A Communication by **Mayor Shirley Franklin** appointing Ms. Cooper Holland to serve as a member of the Citizens Service Planning Review Commission. This appointment is for a staggered term of one-to-three (1-3) years to be subsequently determined, and is scheduled to begin on the date of Council confirmation. **(Forwarded Without Recommendation by Finance/Executive Committee, 6/26/02)**
CONFIRMED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 02-C-1167 (12) A Communication by **Mayor Shirley Franklin** appointing Ms. Gloria Watts to serve as a member of the Citizens Service Planning Review Commission. This appointment is for a staggered term of one-to-three (1-3) years to be subsequently determined, and is scheduled to begin on the date of Council confirmation. **(Forwarded Without Recommendation by Finance/Executive Committee, 6/26/02)**
CONFIRMED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS
- 02-C-1168 (13) A Communication by **Mayor Shirley Franklin** appointing Mr. Seymour Liebmann to serve as a member of the Citizens Service Planning Review Commission. This appointment is for a staggered term of one-to-three (1-3) years to be subsequently determined, and is scheduled to begin on the date of Council confirmation. **(Forwarded Without Recommendation by Finance/Executive Committee, 6/26/02)**
CONFIRMED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (4)
ANNE FAUVER, CHAIR

ORDINANCES FOR SECOND READING

02-O-1037 (1) An Ordinance by **Councilmembers Howard Shook, Carla Smith, Jim Maddox, Felicia Moore, Derrick Boazman, C. T. Martin, Natalyn Archibong, Ivory Lee Young, Jr., Mary Norwood, Clair Muller, H. Lamar Willis, Ceasar Mitchell, Cleta Winslow, Debi Starnes and Anne Fauver** amending the Charter of the City of Atlanta adopted under and by virtue of the Authority of the Municipal Home Rule Act of 1965 (Ga. Laws 1965, p. 298, et seq.) as amended, to amend Section 2-303, Chapter 3, Article 2, of the Charter of the City of Atlanta, Georgia, (Ga. Laws, 1996, p. 4469, et seq.), approved April 15, 1996, as amended, so as to alter the recess cycles for the Atlanta City Council; to repeal conflicting ordinances; and for other purposes. **(3rd Reading, Final Adoption)**
ADOPTED FOR 3RD READING/FINAL ADOPTION BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

02-O-1140 (2) An Ordinance by **Committee on Council** to regulate and provide for the calling of a Special Election to determine the approval or non-approval by the City of Atlanta of a Homestead Exemption from certain City of Atlanta Ad Valorem Taxes for municipal purposes in the amount equal to the amount by which the current year assessed value of a homestead exceeds the base year assessed value of such homestead for certain residents of that city who are 65 years of age or older and whose annual household income does not exceed \$39,000.00, (for the immediately preceding taxable year); and for other purposes.

The above item was forwarded from committee with a Favorable recommendation. A discussion ensued, during which, Councilmember Fauver offered an Amendment to “add language to line 9 and a new Section 1.” Discussion continued with Councilmember Starnes offering a Friendly Amendment. Council then deferred 02-O-1140 until later during the meeting for Councilmember Starnes to put her Friendly Amendment in writing. Resuming back to 02-O-1140 and further information provided, the Fauver Amendment and Starnes Friendly Amendment was not sound for the above legislation. Therefore, Councilmember Boazman made a Motion to Adopt the item in its original form. It was properly Seconded and the Motion CARRIED by a roll call vote of 12 yeas; 0 nays.

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

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (5)
ANNE FAUVER, CHAIR

ORDINANCES FOR FIRST READING

02-O-1234 (1) An Ordinance by **Committee on Council** to amend the 2001 City of Atlanta Precinct and Polling Places in Precincts 1C1, 1C2, 1E1, 1E2, 1J, 1P, 1R, 2A, 2B, 2C, 2E, 2F, 2P, 2W, 2X, 3N, 4B1, 4B2, 4D, 4X2, 6J, 7A, 7B, 7C, 7E, 7F, 7G, 7N, 8B, 8C, 8D, 8E, 8L, 9J, 9J1, 9J2, 9K, 9L, 9N, 10A, 10B, 10H, 10M1, 10M2, 10R, 11A, 11B, 11C, 11C2, 11D, 11E, 11H, 12C, 12D, 12E, 12F, 12E1, 12E2, 12E, 12H, 12U by creating, renaming, combining, redesignating, splitting, and/or eliminating precincts 1C, 1C1, 1C2, 1E1, 1E2, 1E, 2A, 2A1, 2A2, 2H, 2W, 2W1, 2W2, 3N, 3N1, 3N2, 4B1, 4B2, 4B, 6S, 7E1, 7E2, 7L, 7N, 7N1, 7N2, 8N, 8S, 8T, 9J, 9J1, 9J2, 11A, 11A1, 11A2, 11C, 11C1, 11C2, 11E, 11E1, 11E2, 12C, 12C1, 12C2, 12E1, 12E2, 12E3.

REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION

02-O-1235 (2) An Ordinance by **Committee on Council** to authorize the Mayor to enter into a contract with Fulton County to conduct a special election for the City of Atlanta to be held on August 20, 2002 to approve or not approve a homestead exemption from certain City of Atlanta Ad Valorem Taxes for municipal purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the base year assessed value of such homestead for certain residents who are 65 years of age or older and whose annual household income does not exceed \$39,000,00, and for other purposes.

REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION

Council President Cathy Woolard

COMMITTEE REPORTS (CONT'D)

CITY UTILITIES COMMITTEE (1)
HOWARD SHOOK, VICE-CHAIR

Attendance at the June 25, 2002 meeting of the City Utilities Committee was as follows:

Present: Councilmembers Shook (Vice-Chair), Winslow, Smith, Willis and Mitchell

Absent: Councilmembers Muller and Maddox

RESOLUTION

02-R-1178 (1) A Resolution by **City Utilities Committee** authorizing the Mayor or designee to issue a Notice to Proceed with Delon Hampton & Associates/W. L. Jordan and Company, Inc., - JV for FC-6710-96C, Annual Contract for Architectural and Engineering Services to provide field engineering and construction management assistance during construction for Sanitary Sewer Evaluation Survey on behalf of the Department of Public Works in an amount not to exceed \$1,956,263.40; all contracted work shall be charged to and paid from Fund, Account and Center Number: 2J27 524001 M24I22029999.

The above item was forwarded from committee with No Recommendation. Councilmember Shook, as prerogative as Vice-Chair, made a Motion to Adopt. A brief discussion ensued followed by the call of the vote of 14 yeas; 0 nays; 1 abstention.

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

ADOPTED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS; 1 ABSTENTION

Council President Cathy Woolard

COMMITTEE REPORTS (CONT'D)

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

ITEM REMOVED FROM CONSENT AGENDA

02-O-0664 (1) An Ordinance by **Councilmembers Debi Starnes and Anne Fauver as Substituted by City Utilities Committee** to amend the City of Atlanta Code of Ordinances by establishing and adopting a new Article VIII of Chapter 138 entitled "Bicycle Racks Within The City Right-Of-Way"; and for other purposes.

The above item was removed from the Consent Agenda by request of Councilmember Starnes. A discussion ensued in which Councilmember Starnes offered an Amendment to delete the portion in the legislation referencing liability. Discussion continued, during which, Councilmember Starnes made a Motion to Refer 02-O-0664 back to the City Utilities Committee for a two-week time certain. It was properly Seconded and the Motion CARRIED by a unanimous roll call vote of 15 yeas; 0 nays.

REFERRED SUBSTITUTE TO CITY UTILITIES COMMITTEE BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

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

Attendance at the June 25, 2002 meeting of the Community Development/Human Resources Committee was as follows:

Present: Councilmembers Winslow (Chair), Archibong, Boazman and Norwood

Absent: Councilmembers Moore, Starnes and Young

ORDINANCES FOR SECOND READING

The following items (02-O-1014 and 02-O-1015) were taken as a collective vote.

02-O-1014 (1) An Ordinance by **Community Development/Human Resources Committee** authorizing the Mayor to direct the Department of Planning, Development and Neighborhood Conservation (Bureau of Neighborhood Conservation) to demolish and clean the premises of various structures pursuant to Article III of the Atlanta Housing Code and a hearing conducted by the In Rem Review Board on April 25, 2002.

1851 Lakewood Terrace, SE	01
2300 Thomas Road, NW	09
558 Western Avenue, NW	03

The above item was forwarded with a Favorable recommendation. Councilmember Young was recognized and offered an Amendment to delete the Street reference for District 3. Without Objection, the Young Amendment CARRIED by a roll call vote of 14 yeas; 0 nays. Following, the Motion to Adopt as Amended CARRIED by a roll call vote of 13 yeas; 0 nays.

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

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

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

ORDINANCES FOR SECOND READING (CONT'D)

02-O-1015 (2) An Ordinance by **Community Development/Human Resources Committee** authorizing the Mayor to direct the Department of Planning, Development and Neighborhood Conservation (Bureau of Neighborhood Conservation) to demolish and clean the premises of various structures pursuant to Article III of the Atlanta Housing Code and a hearing conducted by the In Rem Review Board on April 25, 2002.

2084 Bethel Drive, NW	03
762 Bonnie Brae Avenue, SW	04
2108 Defoor Avenue, NW	08
31 Evelyn Way, NW	09
1008 North Avenue, NW	03
339 Temple Street, NW	03
2066 Wilson Avenue, NW	03
1109 Windsor Street, SW	04

The above item was forwarded with a Favorable recommendation. Councilmember Young was recognized and offered an Amendment to delete the Street references for District 3. Without Objection, the Young Amendment CARRIED by a roll call vote of 14 yeas; 0 nays. Following, the Motion to Adopt as Amended CARRIED by a roll call vote of 13 yeas; 0 nays.

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

02-O-0851 (3) An Ordinance by **Councilmembers Cleta Winslow and Mary Norwood as Amended by Community Development/Human Resources Committee** adopting the 2003 City of Atlanta Comprehensive Development Plan: and for other purposes. (Public Hearing held on 6/24/02)

The previous vote of the above item was CARRIED Without Objection, however, Municipal Clerk Rhonda Johnson, notified Council President Woolard that a recorded vote should be taken.

REFERRED AS AMENDED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE FOR 3RD READING/FINAL ADOPTION BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (3)
CLETA WINSLOW, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0850 (4)
CDP-02-13

An Ordinance by **Councilmember Howard Shook as Substituted and Amended by Community Development/Human Resources 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 at **the rear of 3694 Peachtree Road and a portion of 3700 Peachtree Road**, from the "High Density Residential" Land Use Designation to the "Single Family Residential" Land Use Designation; and for other purposes. **(Public Hearing held on 6/10/02)**

NPU-B

Council District 7

The above item was forwarded from committee with No Recommendation on Substitute as Amended. A discussion ensued, during which, Councilmember Winslow made a Motion to Adopt on Substitute as Amended. It was properly Seconded and another discussion ensued followed by the Call of the Question by Councilmember Smith. The Motion of the Question was then CARRIED by Voice Vote. Subsequently, the Motion to Adopt on Substitute as Amended CARRIED by a roll call vote of 14 yeas; 0 nays.

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

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (4)
CLETA WINSLOW, CHAIR

ITEMS REMOVED FROM HELD STATUS

02-O-0393 (1) A **Substitute** Ordinance by **Community Development/Human Resources Committee** anticipating and appropriating \$1,842,500.00 for the Summer Food Service Program for the period December 1, 2001 through November 30, 2002; and for other purposes. **(No Recommendation on Substitute by CD/HR Committee 5/14/02) (Referred back by Council 5/20/02) (Held 5/28/02)**

Chairperson Winslow requested the above item be removed from the Held Status. Councilmember Winslow then offered a Substitute and it was brought forth Without Objection. Ms. Winslow stated the condition has been met (receipt of award letter) and, therefore, made a Motion to Adopt on Substitute. Without Objection, the Motion CARRIED by a roll call vote of 14 yeas; 0 nays.

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

02-R-0803 (2) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to enter into a Renewal Agreement No. 1 with G. A. Food Services, Inc., for FC-7343-01 City of Atlanta Summer Food Program, on behalf of the Department of Planning, Development and Neighborhood Conservation in an amount not to exceed \$1,077,560.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 1B02 529002 Y31R0151ATUO; and for other purposes. **(No Recommendation by CD/HR Committee 5/14/02) (Referred back by Council 5/20/02) (Held 5/28/02)**

Chairperson Winslow requested the above item be removed from the Held Status. Ms. Winslow stated the condition has been met (receipt of award letter) and, therefore, made a Motion to Adopt. Without Objection, 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 Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

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

Attendance at the June 25, 2002 meeting of the Public Safety and Legal Administration Committee was as follows:

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

Absent: Councilmember Young

ORDINANCE FOR SECOND READING

02-O-1061 (1) An Ordinance by **Councilmembers C. T. Martin and Ceasar C. Mitchell** authorizing the Mayor to apply for and once approved, accept from the Edward Byrne Memorial Grant Program, a grant for Criminal Justice Records Improvements (CJRI) in the amount of \$62,808.00; and for other purposes.
FILED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

ITEM REMOVED FROM CONSENT AGENDA

02-O-0853 (1) An Ordinance by **Councilmembers Carla Smith, C. T. Martin, Clair Muller, Mary Norwood, Natalyn Archibong, Debi Starnes, Howard Shook, Ivory Lee Young, Jr. and Ceasar C. Mitchell as Amended by Public Safety and Legal Administration Committee** to amend Chapter 150, Article IV, Division 1 of the Atlanta City Code so as to add Section 150-99 prohibiting a person from stopping, standing or parking a vehicle on a sidewalk; and for other purposes.

The above item was removed from the Consent Agenda by request of Councilmember Martin. Councilmember Mitchell was recognized and offered a Substitute. It was properly Seconded and brought forth Without Objection. Following, Councilmember Mitchell made a Motion to Adopt on Substitute. Without Objection, the Motion CARRIED by a unanimous roll call vote of 15 yeas; 0 nays.

ADOPTED SUBSTITUTE AS AMENDED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

PERSONAL PAPERS

Council President Cathy Woolard Presided

PERSONAL PAPERS

RESOLUTION/ADOPTED

02-R-1254 (1) A Resolution by **Councilmember C. T. Martin** authorizing the Mayor to initiate proceedings to create an Atlanta Police and Fire Foundation; to solicit sponsors therefore; and for other purposes.

Councilmember Martin made a Motion to Adopt the above resolution. It was properly Seconded and CARRIED by a unanimous roll call vote of 15 yeas; 0 nays.

ADOPTED BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

RESOLUTION/REFERRED

02-R-1263 (1) A Resolution by **Councilmember Felicia A. Moore** expressing the intent of the Atlanta City Council to fund a pay and classification study of the salaries of City employees and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

ORDINANCES/REFERRED

02-O-1255 (1) An Ordinance by **Finance/Executive Committee** amending adopted Ordinance Number 02-O-0699 increasing the 2002 Intergovernmental Grant Fund Budget, Department of Planning, Development, and Neighborhood Conservation by anticipating and appropriating \$156,194.00 from the State of Georgia Department of Natural Resources to fund the City of Atlanta's participation in the Georgia Greenspace Program, and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

Council President Cathy Woolard Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

02-O-1256 (2) An Ordinance by **Councilmember C. T. Martin** authorizing the Chief Financial Officer to transfer between accounts within the 2002 (2001 Public Improvement Bond Funds) Budget \$120,000 for the acquisition of two parcels of land for the Adamsville Recreation Center/Natatorium; amending Ordinance Number 01-O-1697 by transferring between accounts \$120,000 in funds designated for greenspace acquisition at the Adamsville Park Site to the account and cost center designated for the Utoy Creek Area Trail and Greenway Corridor and authorizing the purchasing agent to enter into an agreement with Smith Real Estate Services, Inc. to negotiate and acquire the necessary properties within the project; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

02-O-1257 (3) An Ordinance by **Councilmember Clair Muller** authorizing the Mayor to execute a Franchise Agreement with Dominion Telecom, Inc. For the provision of Telecommunications Services, as defined in the Telecommunications Act of 1996 (47 U.S.C. § 153) using public rights-of-way; and for other purposes.

REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

02-O-1258 (4) An Ordinance by **Councilmember Anne Fauver** 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 Discretionary Fund Grant for the City of Atlanta for program expenses for assisting with the Gay Tourism Initiative; to authorize the Mayor to sign all necessary grant agreements; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

02-O-1259 (5) An Ordinance by **Councilmembers Cleta Winslow and Ivory Lee Young, Jr.** authorizing the Mayor or her designee to make the intersection of Fair Street, SW at Walker Street, SW an all way stop; and for other purposes.

REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION

Council President Cathy Woolard Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

02-O-1260 (6) An Ordinance by **Councilmember Jim Maddox** amending the 2002 (1994, 1996 and 1997 Referendum General Obligation Bond Fund) Budget in the amount of \$3,058,122.14 for FC-7237-00B, Campbellton Road Phase II Widening Project, Change Order 1 and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

02-O-1261 (7) An Ordinance by **Councilmembers Debi Starnes, Felicia A. Moore, Mary Norwood, Carla Smith, Clair Muller, Ceasar C. Mitchell and Ivory Lee Young, Jr.** to amend Code 138, Streets, Sidewalks and the Public Right-of-Way, to allow property owners to assist the City in disposing of illegal newspaper boxes in front of their property.

REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

02-O-1262 (8) An Ordinance by **Councilmember Derrick Boazman** amending the 2002 (Intergovernmental Grant Fund) Budget Department of the Mayor, by adding to anticipations and appropriations in the amount of \$14,000.00 from the Governor's Office of Community Affairs Emergency Fund Grant for the City of Atlanta for program expenses for the joint small business initiative between NAACP/Atlanta Branch and the Atlanta Score Chapter; to authorize the Mayor to sign all necessary grant agreements; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

02-O-1264 (9) An Ordinance by **Councilmember Felicia Moore** to authorize the Mayor to enter into a contract between the Atlanta Board of Education and the City of Atlanta for the purpose of having the City of Atlanta Municipal Clerk, acting as Municipal Election Superintendent, to call a Special Election to fill the vacated Atlanta Board of Education District 1 Seat; to provide services in regards to qualifying candidates for election, to such vacated seat; to provide that all costs related to this election shall be borne by the Atlanta Board of Education and for other purposes.

REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION

Council President Cathy Woolard Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

02-O-1265 (10) An Ordinance by **Councilmember Felicia A. Moore** authorizing the Mayor or her designee to install a painted cross walk at 55 Trinity Avenue for the protection and general welfare of the citizens and employees of the City of Atlanta; and for other purposes.

REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION

ADJOURNMENT

Council President Cathy Woolard Presided

ADJOURNMENT

There being no further business to discuss the July 01, 2002 meeting of the Atlanta City Council was adjourned at 4:31 p.m.

ADJOURNMENT ROLL CALL: Council President Cathy Woolard (1); Councilmembers Smith, Starnes, Young, Winslow, Archibong, Fauver, Shook, Muller, Moore, Martin, Maddox, Boazman, Mitchell, Norwood and Willis (15).