

ATLANTA CITY COUNCIL

ACTION/MINUTES

SEPTEMBER 03, 2002

The Atlanta City Council held its Regularly Scheduled Meeting on Tuesday, September 03, 2002, due to the Labor Day Holiday on Monday, September 02, 2002. The Meeting convened at 1:03 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 (14) 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 Cleta Winslow	The Honorable Jim Maddox
The Honorable Natalyn Mosby Archibong	The Honorable Derrick Boazman
The Honorable Anne Fauver	The Honorable Ceasar C. Mitchell
The Honorable Charles Howard Shook	The Honorable Mary Norwood
The Honorable Clair Muller	The Honorable H. Lamar Willis

Councilmember Ivory Lee Young, Jr. was absent.

INVOCATION: Councilmember Derrick Boazman 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 **August 19, 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 **September 03, 2002** meeting was **ADOPTED** without objection.

COMMUNICATIONS

Council President Cathy Woolard Presided

COMMUNICATION

02-C-1578 (1) A Communication by **Mayor Shirley Franklin** nominating Mr. Jack E. Raven as Commissioner of Watershed Management.
**REFERRED TO CITY UTILITIES COMMITTEE AND
COMMITTEE ON COUNCIL WITHOUT OBJECTION**

VETOED LEGISLATION

Council President Cathy Woolard Presided

VETOED LEGISLATION

NONE

UNFINISHED BUSINESS

Council President Cathy Woolard Presided

UNFINISHED BUSINESS

02-R-1345 (1) A Resolution by **City Utilities Committee** authorizing the Mayor or designee to approve a Notice to Proceed with Jordan, Jones and Goulding, Inc./Engineering Design Technologies, Inc., - JV for FC-6710-96D, Annual Contract for Architectural and Engineering Services to provide engineering services during construction of the Nancy Creek Tunnel and Pump Station Project on behalf of the Department of Public Works in an amount not to exceed \$10,231,112.00; all contracted work shall be charged to and paid from Fund, Account and Center Number: 2J27 574001 M24I02429999.

The above item was Tabled on Substitute at the August 19, 2002 meeting by request of Councilmember Muller. During this meeting, Ms. Muller made a Motion to remove 02-R-1345 from the Table. It was properly Seconded and CARRIED by a roll call vote of 10 yeas; 0 nays. The resolution was before the Council. Councilmember Muller then made a Motion to Adopt on Substitute. It was properly Seconded and CARRIED by a roll call vote of 13 yeas; 0 nays.

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

02-O-0883 (2)
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

Council President Cathy Woolard Presided

UNFINISHED BUSINESS (CONT'D)

02-O-0477 (3)
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 (4)

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. The Motion 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-R-1458 and 02-R-1137 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, Winslow, Archibong, Fauver, Shook, Muller, Moore, Martin, Maddox, Boazman, Mitchell, Norwood and Willis* **0 Nays.**

SECTION I

ORDINANCES FOR SECOND READING

CITY UTILITIES COMMITTEE
CLAIR MULLER, CHAIR

- 02-O-1455 (1) An Ordinance by **Councilmember Debi Starnes** authorizing the Commissioner of Public Works, on behalf of the Mayor, to waive paragraph seven (7) of Section 138-60 of the Code of Ordinances of the City of Atlanta, for the issuance of a Banner Permit to America's Mart; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-O-1456 (2) An Ordinance by **Councilmember Debi Starnes** authorizing the Commissioner of Public Works, on behalf of the Mayor, to waive paragraph seven (7) of Section 138-60 of the Code of Ordinances of the City of Atlanta, for the issuance of a Banner Permit to America's Mart; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-O-1457 (3) An Ordinance by **Councilmember Debi Starnes** authorizing the Commissioner of Public Works, on behalf of the Mayor, to waive paragraph seven (7) of Section 138-60 of the Code of Ordinances of the City of Atlanta, for the issuance of a Banner Permit to the Atlanta Convention and Visitors Bureau (ACVB); 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)

CITY UTILITIES COMMITTEE (CONT'D)

CLAIR MULLER, CHAIR

- 02-O-1460 (4) An Ordinance by **Councilmember Clair Muller** amending the 2002 (General Governmental Capital Outlay Fund) Budget in the amount of \$3,120.00 for Real Estate Services to purchase property known as the Tanyard Creek Urban Forest; 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-O-1454 (5) An Ordinance by **Councilmember Debi Starnes** to authorize the Mayor to enter into a contractual agreement with Sci-Trek Museum in an amount not to exceed \$749,477.40 for the purpose of the construction of an exhibit at the Challenger Learning Center, located inside the existing facility at 395 Piedmont Avenue; and to repeal Ordinance 02-O-0959 in its entirety; 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-1336 (6) A **Substitute** Ordinance by **Public Safety and Legal Administration Committee** to amend the 2002 (Intergovernmental Grant Fund) Budget, Department of Police by adding to anticipations and appropriations in the amount of \$3,032,020.00 for the award of the FY 2002 Local Law Enforcement Block Grant from the U. S. Department of Justice and Local Match; 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)

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

- 02-O-1337 (7) A **Substitute** Ordinance by Public Safety and Legal Administration Committee to amend the 2002 (Intergovernmental Grant Fund) Budget, Department of the Mayor, by adding to anticipations and appropriations in the amount of \$216,534.00 from the Office of the Governor's Children and Youth Coordinating Council for the continuation of the Intensive Surveillance Probation Officers.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

TRANSPORTATION COMMITTEE
H. LAMAR WILLIS, CHAIR

- 02-O-1339 (8) 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: Kirkwood Avenue, SE, Land O' Lakes Drive, NE and Mitchell Street, SW.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 02-O-1340 (9) An Ordinance by **Transportation Committee** authorizing the Mayor or her designee to install a Yield Sign at the intersection of Carter Street, NW and Mayson-Turner Road and at the intersection of Harwell Street, NW and Mayson-Turner Road.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 02-O-1341 (10) An Ordinance by **Transportation Committee** authorizing the Mayor or her designee to make the intersection of Loridans Drive, NE and Treehaven an All-Way Stop.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 02-O-1342 (11) An Ordinance by **Transportation Committee** authorizing the Mayor or her designee to make the intersection of Fort Valley Drive, SW and Shepherd Circle an All-Way Stop.
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)

TRANSPORTATION COMMITTEE (CONT'D)

H. LAMAR WILLIS, CHAIR

- 02-O-1343 (12) An Ordinance by **Transportation Committee** authorizing the Mayor or her designee to make the intersection of Fort Valley Drive, SW and Timothy Drive an All-Way Stop.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

FINANCE/EXECUTIVE COMMITTEE

FELICIA A. MOORE, CHAIR

- 02-O-1226 (13) An Ordinance by **Finance/Executive Committee** amending the 2002 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations in the amount of \$4,615.00 to fund a Recycling Program for telephone directories for one year; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 02-O-1446 (14) An Ordinance by **Councilmember Jim Maddox as Substituted by Finance/Executive Committee** transferring appropriations in the amount of \$25,000.00 for the purpose of providing a Service Grant to the City of Atlanta, Office of International Affairs.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 02-O-1465 (15) An Ordinance by **Councilmember Felicia A. Moore** rescinding Ordinance 02-O-0967, adopted by the Atlanta City Council June 3, 2002; replacing it with this ordinance. The intent of Ordinance 02-O-0967 was to amend the 2002 (1994 G. O. Bond Referendum) Budget in the amount of \$122,182.00 to provide for some City of Atlanta Home Owners; 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

CITY UTILITIES COMMITTEE

CLAIR MULLER, CHAIR

02-R-1370 (1) A Resolution by **City Utilities Committee** approving adjustments on Water-Sewer Accounts.

Other Identified Leaks: G. K. Services, 1278 DeKalb Ave., NE; Joe Fant, 3049 Morning Dr., NW

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

02-R-1371 (2) A Resolution by **City Utilities Committee** approving adjustments on Water-Sewer Accounts.

Underground Leaks: Camelot Club Con, 2600 Jerome Road, SW; Buckhead Cross, 2625 Piedmont Rd., NE; Hidden Woods Apt., 3100 Godby Road, SW; Balcor Property, 2121 Defoors Ferry Rd.

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

02-R-1372 (3) A Resolution by **City Utilities Committee** approving adjustments on Water-Sewer Accounts.

Underground Leaks: Plantation Forest, 8740 Roswell Rd, NE; A. G. Sponos Devel., 6871 PTree Dunwoody Rd.; Park Place Apts., 3390 Fairburn Rd., SW; Terri Tidwell, 439 Paines Ave., NW

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

02-R-1373 (4) A Resolution by **City Utilities Committee** approving adjustments on Water-Sewer Accounts.

Underground Leaks: A P Gentsch, 2868 Habersham Rd., NW; Masahiro Kakiuchi, 3617 M. L. K., Jr. Drive, NW; Jamal Fross, 1432 Richland, Rd. SW; Metropolitan Reg., 2268 Adams 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)

CLAIR MULLER, CHAIR

02-R-1374 (5) A Resolution by **City Utilities Committee** approving adjustments on Water-Sewer Accounts.

Underground Leaks: Rivercrest Apt#21, 9401 Roberts Drive, NE; Rebecca Strong, 811 Gertrude Pl., NW; Shanta Hospitality, 3860 Flat Shoals Road; Charleston Sq. Con, 5500-5700 Kingsport Dr.

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

02-R-1375 (6) A Resolution by **City Utilities Committee** approving refunds on Water-Sewer Accounts.

Refunds: Selig Chemical Ind. Inc.; 860 Selig Drive, SW; Lightnet, 165 Boulevard, SE; Peachtree-TSG Association; 245 P'tree Center Ave., NE

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

02-R-1376 (7) A Resolution by **City Utilities Committee** approving adjustments on Water-Sewer Accounts.

Meter Malfunction: William Brewster, 765 Registry Lane, NE; D. J. P. Properties, 244 Auburn Ave., NE; Carolyn Edelson, 8235 Sullivan Hill Rd.; Fatima Investment, 3260 Bankhead Hwy., NW

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

02-R-1378 (8) A Resolution by **City Utilities Committee** authorizing the Mayor to execute a Local Assistance Road Program Agreement for Project No. LAU 32-8532-69 (121), for the purpose of resurfacing City streets; 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)

CITY UTILITIES COMMITTEE (CONT'D)

CLAIR MULLER, CHAIR

02-R-1379 (9) A Resolution by **City Utilities Committee** authorizing the Mayor to execute a Local Assistance Road Program Agreement for Project No. PR 8532-73 (121), for the purpose of resurfacing City streets; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

02-R-1380 (10) A **Substitute** Resolution by **City Utilities Committee** to authorize payment of penalties imposed by the Environmental Protection Division of the Department of Natural Resources of the State of Georgia (EPD) in the amount of \$5,000.00 as penalty for an alleged violation of the Georgia Water Quality Control Act resulting from a spill of total suspended solids occurring on February 6, 2002 at the R. M. Clayton Water Reclamation Center; to identify the source of funding; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

02-R-1392 (11) An **Amended** Resolution by **City Utilities Committee** authorizing the Mayor to enter into Renewal Agreement No. 1 with Roland Pugh Construction, Inc. for FC-7062-99, Annual Contract for Sanitary Sewer Construction, on behalf of the Department of Public Works in an amount not to exceed \$10,000,000.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2J27 574001 M24I02239999.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

02-R-1458 (12) A Resolution by **Councilmember Clair Muller as Amended by City Utilities Committee** calling for the cooperation of all restaurants within the City of Atlanta to voluntarily not serve customers (tap) drinking water, unless specifically requested by a customer, as one step in assisting the City of Atlanta in conservation of one of its most precious resources – water; and to send a message to other cities in Georgia that we are doing what we can in the conservation of water.

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

SEE CITY UTILITIES COMMITTEE REPORT

Council President Cathy Woolard Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

CITY UTILITIES COMMITTEE (CONT'D)

CLAIR MULLER, CHAIR

- 02-R-1468 (13) A Resolution by **Councilmembers Howard Shook and Clair Muller** to negotiate an agreement between the City of Atlanta and Chattowah Open Land Trust for management of real property owned by the City and located adjacent to the Blue Heron Nature Preserve; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 02-R-1480 (14) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into Amendment Number 3 for FC-5351-92 Spring Street Viaduct Replacement Design Services with Heath & Linebeck Engineers, Inc. in an amount not to exceed \$129,937.77, on behalf of the Department of Public Works. All contracted work shall be charged to and paid from the following Fund, Account and Center Numbers: 1C33 524001 M22F041692BA - \$34,193.83 and 1C33 574001 M22F041692BA - \$95,743.94
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 02-R-1481 (15) A Resolution by **City Utilities Committee** authorizing the Mayor or designee to enter into an appropriate contractual agreement with Rockdale Pipeline, Inc for FC-7476-02, Annual Contract for Pipe Laying for Department of Water on behalf of the Department of Water in an amount not to exceed \$9,000,000.00, said contract shall be based on unit prices. All contracted work shall be charged to and paid from Fund, Account and Center Numbers: 2J27 574001 Q24J05039999 - \$3,000,000.00 and 2J27 573001 Q27J02049999 - \$6,000,000.00.
**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)

CITY UTILITIES COMMITTEE (CONT'D)

CLAIR MULLER, CHAIR

02-R-1482 (16) A Resolution by **City Utilities Committee** authorizing the Mayor or designee to approve a Notice to Proceed with Jordan, Jones and Goulding, Inc./Engineering Design Technologies, Inc.,-JV for FC-6710-96D, Annual Contract for Architectural and Engineering Services to provide Operational Support to the Bioisolds Transition Team on behalf of the Department of Public Works in an amount not to exceed \$299,598.00; all contracted work shall be charged to and paid from Fund, Account and Center Number: 2J21 524001 M52001.

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

02-R-1483 (17) A Resolution by **City Utilities Committee** authorizing the Mayor or designee to approve a Notice to Proceed with Jordan, Jones and Goulding, Inc./Engineering Design Technologies, Inc.,-JV for FC-6710-96D, Annual Contract for Architectural and Engineering Services to assess Bioisolds processing equipment at Water Reclamation Centers on behalf on the Department of Public Works in an amount not to exceed \$148,214.00; all contracted work shall be charged to and paid from Fund, Account and Center Number: 2J21 524001 M57202.

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

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

CLETA WINSLOW, CHAIR

02-R-1385 (18) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to enter into a contractual agreement with Park Pride Atlanta, Inc., in an amount not to exceed \$33,000.00 a year, for a two (2) year period with an option to renew for an additional two (2) year period, for the purpose of providing assistance in obtaining citizen and corporate support for the City of Atlanta parks on behalf of the Department of Parks, Recreation and Cultural Affairs, Bureau of Parks; all expenses shall be charged to and paid from Fund, Account and Center Number: 1C22 523001 N12D09B69999.

**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-1479 (19) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to enter Change Order No. 2 with ACI/EGM, for FC-7023-98, New Adamsville Recreation Center, on behalf of the Department of Parks, Recreation and Cultural Affairs in an amount not to exceed \$1,258,140.00; all contracted work shall be charged to and paid from Fund, Account and Center Numbers: 1C22 573001 N12D09B69999; 1C22 573001 N12D03B69999; 1C43 573001 N12D09D39999.
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-1369 (20) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims in the case of Boulevard Land Company, LLC and Harvest Mortgage Co., Inc. v. City of Atlanta, Civil Action File No. 2002-CV-50535; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

02-R-1439 (21) A Resolution by **Public Safety and Legal Administration Committee** authorizing payment in the amount of \$3,660.00 in settlement of the claim of Bernice Johnson against the City of Atlanta.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

02-R-1440 (22) A Resolution by **Public Safety and Legal Administration Committee** authorizing payment in the amount of \$3,517.29 in settlement of the claim of Laura Martin against the City of Atlanta.
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)

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

02-R-1495 (23) A Resolution by **Public Safety and Legal Administration Committee** authorizing payment in the amount of \$1,180.06 in settlement of the claim of Richard M. Dicter against the City of Atlanta.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

02-R-1500 (24) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor to apply for and accept a grant from the U. S. Department of Justice in an amount not to exceed \$150,000.00 to establish a Mental Health Court as a function of the Community Court within the Municipal Court System of the City of Atlanta; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

02-R-1501 (25) A Resolution by **Public Safety and Legal Administration Committee** authorizing the City Attorney to settle the case of James C. Kincaid D.D.S.P.A. v. City of Atlanta, Civil Action No. 2001-CV-37572, in the Superior Court of Fulton County, Georgia; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

TRANSPORTATION COMMITTEE
H. LAMAR WILLIS, CHAIR

02-R-1386 (26) A Resolution by **Transportation Committee** authorizing the Mayor or her designee to execute an agreement with the Federal Bureau of Investigation (FBI), for the City to use the FBI's Infragard System; and for other purposes at Hartsfield Atlanta International Airport at no cost to the City.
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)

TRANSPORTATION COMMITTEE (CONT'D)

H. LAMAR WILLIS, CHAIR

- 02-R-1388 (27) A Resolution by **Transportation Committee** giving consent and approval of the sublease between Bank of America, NA, as Landlord and the Federal Aviation Administration (FAA), as Tenant, for a portion of that building known as the Loop Road Building, located at 1075 Inner Loop Road, in Clayton County, City of College Park, Georgia; authorizing the Aviation General Manager to execute an appropriate instrument evidencing such consent and approval on behalf of the City of Atlanta, the Ground Lease Landlord; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1491 (28) A Resolution by **Transportation Committee** authorizing the Mayor or her designee to execute an Amendment No. 10 to the CPTC Lease Agreement with AirTran Airways, Inc. which shall delete 265.98 square feet of boarding level space on the south end of Concourse C in the Central Passenger Terminal Complex at Hartsfield Atlanta International Airport; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1492 (29) A Resolution by **Transportation Committee** authorizing the Mayor or her designee to execute an Airport Use License Agreement with Air Wisconsin Airlines Corporation, covering the use of runways, taxiways and other Common Airfield Facilities at Hartsfield Atlanta International Airport; 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)

FINANCE/EXECUTIVE COMMITTEE

FELICIA A. MOORE, CHAIR

02-R-1137 (30) A Resolution by **Councilmembers Clair Muller and C. T. Martin** to place an item in the City's Legislative Package for the Georgia General Assembly for 2003; the exemption from school taxes for Atlanta citizens 65 years of age and over.

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

SEE FINANCE/EXECUTIVE COMMITTEE REPORT

02-R-1347 (31) A **Substitute** Resolution by Finance/Executive Committee **as Amended** authorizing the Mayor to approve Renewal Agreement No. 2 with WCC Landscaping Maintenance Company, for FC-6122-95, Exterior Grounds Maintenance Services at Hartsfield Atlanta International Airport, in an amount not to exceed \$639,050.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2H01 523001 R43001.

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

02-R-1461 (32) A Resolution by **Councilmembers Clair Muller and Howard Shook** authorizing the Mayor to apply for and accept a grant from the Governor's Children and Youth Coordinating Council in an amount not to exceed \$40,000.00 for a program in collaboration with the Buckhead Coalition, Inc., to reduce underage drinking in the City, with focus on the Buckhead Village Area and extension of the Program to other problem areas as they are identified; and for other purposes.

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

02-R-1462 (33) A Resolution by **Councilmember Felicia A. Moore** authorizing the Mayor to enter into an appropriate contractual agreement with Ms. Francis Johnson, a retired employee of the City of Atlanta, Department of Finance, as an Independent Contractor for professional services subject to the appropriation of funds. Said payments shall be charged to and paid from Fund, Account and Center Number: 2H01 524001 R12006; 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)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, CHAIR

02-R-1471 (34) A Resolution by **Councilmembers C. T. Martin and Derrick Boazman as Substituted by Finance/Executive Committee** requesting that the Georgia General Assembly, during its 2003 Session, adopt legislation to amend Section 48-11-2 of the Georgia Code Annotated to allow municipalities in the State of Georgia which have a Special Entertainment District to levy a twenty-five (.25) cent per pack cigarette tax on sale of cigarettes.

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

02-R-1484 (35) A Resolution by **Finance/Executive Committee** authorizing the Purchasing Agent to utilize the State of Georgia Contract 92-00151 with Dell Computers for the purchase of 72 Dell Dimension 4500 Series Computers on behalf of the Atlanta Police Department in an amount not to exceed \$103,104.00.

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

02-R-1486 (36) An **Amended** Resolution by **Finance/Executive Committee** authorizing the Purchasing Agent to utilize the State of Georgia Contract 401-008-597119 with Software Spectrum for the purchase of Microsoft Enterprise Agreement for 600 Workstations and True Up Report for 150 seats on behalf of the Department of Aviation in an amount not to exceed \$211,200.00.

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

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

CEASAR C. MITCHELL, CHAIR

Claims with Favorable Recommendations:

02-R-1363 (1) Claim of **Beadie Merideth**, for damages alleged to have been sustained from an automobile accident on June 26, 2002, at Custer Avenue and Moreland Avenue. **\$860.93**

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-1364 (2) Claim of **James O'Donnell**, for damages alleged to have been sustained as a result of a vehicular accident on June 1, 2002 at 1 Georgia Dome Drive. **\$2,000.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1365 (3) Claim of **State Farm Insurance Companies, as subrogee of Catherine Chang**, for damages alleged to have been sustained as a result of a vehicular accident on May 10, 2002 at 2828 Piedmont Road, NE. **\$2,000.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1412 (4) Claim of **Emma Brooks, through her attorney, Edward R. Mashek**, for damages alleged to have been sustained as a result of a vehicular accident on January 22, 2002 at 2875 Northside Drive, NE. **\$2,000.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1413 (5) Claim of **Allstate Insurance Company as subrogee of Emma Brooks**, for damages alleged to have been sustained as a result of a vehicular accident on January 22, 2002 at 2875 Northside Drive, NE. **\$2,000.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1414 (6) Claim of **Simeon Denise Haney**, for damages alleged to have been sustained as a result of an automobile incident on July 11, 2002 at 2567 Elliott Street. **\$1,277.31**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1415 (7) Claim of **Kenneth G. Olsen**, for damages alleged to have been sustained as a result of an automobile accident on June 21, 2002 at 2900 Peachtree Road, NE. **\$1,829.75**
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-1416 (8) Claim of **Bettie J. Jackson**, for damages alleged to have been sustained as a result of property damage when a tree limb fell on a fence on the City's right-of-way on June 4, 2002 at 1127 Morley Avenue, SE. **\$597.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

02-R-1417 (9) Claim of **Citgo Food Mart**, for damages alleged to have been sustained that a City sewer vehicle backed into a store sign on March 14, 2002 at 1072 Cascade Road, SW. **\$866.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Claims with Unfavorable Recommendations:

02-R-1418 (10) Claim of **Tia Toombs**, for damages alleged to have been sustained as a result of property damage during the execution of a search warrant on January 25, 2002 at 251 Anderson Avenue, Apt. C-2.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

02-R-1419 (11) Claim of **Gregg and Andrea Palaian**, for damages alleged to have been sustained as a result of a City vehicle hitting their tree on March 15, 1999 at 659 Elmwood Drive, NE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

02-R-1420 (12) Claim of **David Chew, through his attorney, Derek M. Wright**, for damages alleged to have been sustained as a result of the wrongful impound of claimant's vehicle on November 14, 2001 at an undisclosed location.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

02-R-1421 (13) Claim of **Edward T. Watson**, for damages alleged to have been sustained from a punctured tire on May 27, 2002 at 2025 Hosea L. Williams Drive, SE.
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-1422 (14) Claim of **Sentry Insurance**, for damages alleged to have been sustained as a result of a sewer backup on July 20, 2001 at 565 Spring Street.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1423 (15) Claim of **Dorothy Lampkin through her attorney, Greg S. Shurman**, for damages alleged to have been sustained as a result of a vehicular accident on January 14, 2002 at 800 Hutchens Road, SE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1424 (16) Claim of **Craig Mihaly**, for damages alleged to have been sustained from a construction cut that was left open and in an unsafe condition in June, 2001 at Piedmont Road, NE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1425 (17) Claim of **Craig M. Hawkins**, for damages alleged to have been sustained from a construction cut that was left open and in an unsafe condition on February 21, 2002 at Edgewood Avenue and Hill Street.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1426 (18) Claim of **Vickie R. Barker mother of Andrew Mikel Green, deceased, through her attorney Kenneth L. Shigley**, for damages alleged to have been sustained as a result of the death of claimant's son during an attempted car jacking on July 1, 2001 at 3260 Bankhead Highway, NW.
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-1427 (19) Claim of **Britt Steinhardt, through her attorney, Peter J. Ross**, for damages alleged to have been sustained as a result of a slip and fall on March 19, 2002 at Atlanta Hartsfield International Airport.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1428 (20) Claim of **Joseph Joyce, through his attorney, William J. Atkins**, for damages alleged to have been sustained as the result of an altercation with and arrest by police on January 31, 2002 at 770 Wildwood Road, NE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1429 (21) Claim of **John Walden, through his attorney, Christopher W. T. Daly**, for damages alleged to have been sustained as a result of personal injuries when a wall collapsed on him during a fire at 1730 Givens Avenue, NW on June 2, 2002.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1430 (22) Claims of **Jason Griggers**, for damages alleged to have been sustained as a result of driving over a pothole in the road January 20, 2001 at the 1400 block of Briarcliff Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1431 (23) Claim of **Aneka Patrice Battle**, for damages alleged to have been sustained as a result of driving over a pothole in the road on June 26, 2002 at 3900 Crown Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1432 (24) Claim of **Carla A. Williams**, for damages alleged to have been sustained as a result of a collapsed storm drain causing storm water overflow from July, 2000 to the present at 2173 Essex Avenue, 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-1433 (25) Claim of **Joanne J. Hooten**, for damages alleged to have been sustained as a result of a fall in the CNN parking lot on January 24, 2002 on Techwood Drive.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1434 (26) Claim of **Debbie K. Friedman**, for damages alleged to have been sustained as a result when a vehicle was driven over a construction site that was not properly covered in the roadway on February 7, 2002 at Cheshire Bridge Road, NE and LaVista Road, NE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1435 (27) Claim of **Don Swann Distributors**, for damages alleged to have been sustained as a result of metal that was hanging from an overhead bridge ripped open the roof of a vehicle on May 3, 2001 at Simpson Road, NW and Northside Drive, NW.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1436 (28) Claim of **Juanita W. Mitchell**, for damages alleged to have been sustained as a result of the City paying contractor for faulty work performed by a contractor on July 6, 1999 at 311 Angus Circle, NW.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1437 (29) Claim of **Jeffery Coast, through his attorney, Dixon James, Esq.**, for damages alleged to have been sustained as a result of an automobile accident on January 14, 2001 at 908 Piedmont Avenue, 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-1438 (30) Claim of **Erica Worthen**, for damages alleged to have been sustained as a result of a construction cut that was left in an unsafe condition on January 8, 2002 at 866 West Peachtree Street, NE.
**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

CITY UTILITIES COMMITTEE

CLAIR MULLER, CHAIR

02-O-1497 (1) An Ordinance by **City Utilities Committee** amending the 2002 (Water & Sewerage Renewal and Extension Fund) Budget by transferring from Reserve Account the sum of \$1,500,000.00 for the purpose of making payment to United Water Services Atlanta for meter installations performed during Fiscal Year 2002; and for other purposes.

REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

CLETA WINSLOW, CHAIR

02-O-1381 (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 May 30, 2002.

2249 Alvin Drive, NW	09
1740 Bolton Road, NW	09
2635-37 Martin Luther King, Jr. Drive, NW	10
525 Sunset Avenue, NW	03
2202 Wilson Avenue, NW	03

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

02-O-1382 (3) 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 June 27, 2002.

59 Daniel Street, SE	02
1573 Lakewood Avenue, SE	01
553 Middle Street, SW	04
3078 Panther Trail, SW	11

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

02-O-1383 (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 May 30, 2002.

857 Proctor Street, NW	03
835 Kennedy Street, NW	03

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

02-O-1384 (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 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 June 27, 2002.

215 Adair Avenue, SE	01
1996 Hollywood Road, NW	09
2182 Pryor Road, SW	12

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

02-O-1368 (6) A **Substitute** Ordinance by **Public Safety and Legal Administration Committee** authorizing the Chief Judge of the Municipal Court or her designee to execute employment contracts with nine (9) retired Atlanta Police Officers and five (5) Security Guards to serve at City of Atlanta Municipal Court, for a total cost to the City not to exceed \$485,000.00 to be charged to and paid from Fund, Account and Center No. 1A01 524001 S11001; and for other purposes.

REFERRED SUBSTITUTE TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

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

02-O-1496 (7) An Ordinance by **Public Safety and Legal Administration Committee** authorizing the settlement of the claim of State Farm Insurance Company, as subrogee of Lisa Horne in an amount not to exceed \$4,000.00; authorizing the Chief Financial Officer to disburse the settlement amount; to waive City of Atlanta Code of Ordinances Sections 2-4 and 2-783 for this instance only; and for other purposes.

REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

Council President Cathy Woolard Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

TRANSPORTATION COMMITTEE

H. LAMAR WILLIS, CHAIR

- 02-O-1389 (8) An Ordinance by **Transportation Committee** amending the 2002 (Airport Revenue Fund) Budget by transferring to and from appropriations in the amount of \$1,150,000.00 to provide adequate funding for the replacement of approximately 3,600 Runway and Taxiway Guidance Legend Panels.
REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION
- 02-O-1390 (9) An Ordinance by **Transportation Committee** authorizing the Mayor or her designee to make segments of the following street within the City Atlanta No Parking Anytime: Beutell Street, NW.
REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION
- 02-O-1393 (10) An Ordinance by **Transportation Committee** amending the 2002 (Airport Renewal & Extension Fund) Budget by transferring to and from appropriations the amount of \$29,706,113.00 to provide funding for several Airport Capital Projects from the appropriate accounting sources within the Airport Renewal & Extension Fund.
REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION
- 02-O-1490 (11) An Ordinance by **Transportation Committee** amending the 2002 (Airport Renewal & Extension Fund) Budget by transferring to and from appropriations in the amount of \$2,285,000.00 to provide adequate funding for the construction of Fiber Optic Cable Infrastructure for an overall Airport Network System.
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)

FINANCE/EXECUTIVE COMMITTEE

FELICIA A. MOORE, CHAIR

02-O-1391 (12) An Ordinance by **Finance/Executive Committee** amending the 2002 (Intergovernmental Grant Fund) Budget for the Department of Corrections by adding to anticipations and appropriations in the amount of \$129,674.00 from the Fulton County Regional Board of Health for the purpose of continuing Clinical Assessment Services for Criminal Defendants participating in the Community Court Program; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

02-O-1395 (13) An Ordinance by **Finance/Executive Committee** amending the 2002 (Intergovernmental Grant Fund) Budget, Department of Planning, Development and Neighborhood Conservation by adding to anticipations and appropriations in the amount of \$16,500.00 for the purpose of contracting with the Urban Design Commission to prepare two Thematic Historic Resource Studies; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

02-O-1396 (14) An Ordinance by **Finance/Executive Committee** amending the 2002 (General Government Capital Outlay Fund) Budget, Department of Public Works, by transferring between accounts the sum of \$700,000.00 for the purpose of funding Streetscape Improvements for Perry Boulevard, Pryor Road, and the construction of the Spring Street Viaduct and the implementation of Phase II Trails at the Olmstead Linear Park; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

Council President Cathy Woolard Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, CHAIR

02-O-1489 (15) An Ordinance by **Finance/Executive Committee** amending the 2002 (Park Improvement Fund) Budget, so as to transfer appropriations in the amount of \$352,156.71 to Anderson Park Recreation Center Improvements; Lang Carson Park Recreation Center Improvements; and the Brownwood Park Recreation Center Improvements account identified as Construction of Buildings Citywide, Account No. 1C22 773001 N12D09B69999 on behalf of the Department of Parks, Recreation and Cultural Affairs; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

02-O-1499 (16) An Ordinance by **Finance/Executive Committee** to amend the FY 2002 Special Revenue Fund Budget for Traffic Court Operations by transferring the amount of \$8,303,152.00 from the Reserve, Designated Account – Lease/Purchase New Traffic Court Facility to appropriate additional funds for the purposes of funding certain programs for Traffic Court operations; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

COMMITTEE REPORTS

Council President Cathy Woolard Presided

COMMITTEE REPORTS

COMMITTEE ON COUNCIL (1)
ANNE FAUVER, CHAIR

Attendance at the September 03, 2002 meeting of the Committee on Council was as follows:

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

Absent: Councilmember Boazman

COMMUNICATIONS

The following items (1, 2, 4- 10) were taken as a collective vote.

02-C-1399 (1) A Communication by **Mayor Shirley Franklin** appointing **Mr. Phillip Pettis** to serve as a Taxicabs and Vehicles for Hire Hearing Officer for the City of Atlanta for a term of two (2) years, scheduled to begin on the date of Council confirmation. **(Favorable by Public Safety and Legal Administration Committee, 8/27/02)**
CONFIRMED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

02-C-1400 (2) A Communication by **Mayor Shirley Franklin** appointing **Ms. Davilla Davis** to serve as a member of the Atlanta Sister Cities Commission of the City of Atlanta for a term not to exceed (3) years, scheduled to begin on the date of Council confirmation.
CONFIRMED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

02-C-1401 (3) A Communication by **Mayor Shirley Franklin** appointing **Mr. George Howell** to serve as a member of the Atlanta Housing Authority Board of Commissioners for a term to last until April 6, 2003, scheduled to begin on the date of Council confirmation.
(Favorable by Community Development/Human Resources Committee, 8/27/02)
CONFIRMED BY A ROLL CALL VOTE OF 13 YEAS; 1 NAY

02-C-1404 (4) A Communication by **Mayor Shirley Franklin** appointing **Mr. Quill Healey** to serve as a member of the In Rem Review Board of the City of Atlanta for a term of three (3) years, scheduled to begin on the date of Council confirmation.
(Forwarded Without Recommendation by Community Development/Human Resources Committee, 8/27/02)
CONFIRMED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (2)
ANNE FAUVER, CHAIR

COMMUNICATIONS (CONT'D)

- 02-C-1406 (5) A Communication by **Mayor Shirley Franklin** reappointing **Mr. Mark Ross** to serve as a member of the In Rem Review Board of the City of Atlanta for a term of three (3) years, scheduled to begin on the date of Council confirmation. **(Favorable by Community Development/Human Resources Committee as amended, 8/27/02)**
CONFIRMED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 02-C-1407 (6) A Communication by **Mayor Shirley Franklin as Amended by Finance/Executive Committee** appointing **Ms. Juanita H. Gardner** to serve as a member of the Civil Service Board of the City of Atlanta. This appointment is for a term of three (3) years, scheduled to begin on the date of Council confirmation. **(Favorable as amended by Finance/Executive Committee, 8/28/02)**
CONFIRMED AS AMENDED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 02-C-1408 (7) A Communication by **Mayor Shirley Franklin** appointing **Ms. Dorthey Hurst** to serve as a member of the Woodruff Park 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, 8/27/02)**
CONFIRMED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 02-C-1409 (8) A Communication by **Mayor Shirley Franklin** appointing **Mr. Raymond King** to serve as a member of the Woodruff Park 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, 8/27/02)**
CONFIRMED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 02-C-1410 (9) A Communication by **Mayor Shirley Franklin** appointing **Mr. Warren Bruno**, to serve as a member of the License Review Board of the City of Atlanta for a term of two (2) years, scheduled to begin on the date of Council confirmation. **(Favorable by Public Safety and Legal Administration Committee, 8/27/02)**
CONFIRMED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 02-C-1411 (10) A Communication by **Mayor Shirley Franklin** appointing **Ms. Adrian Roberson** to serve as a member of the People TV Board for the City of Atlanta for a term of three (3) years, scheduled to begin on the date of Council confirmation. **(Forwarded Without Recommendation by City Utilities Committee, 8/27/02)**
CONFIRMED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (3)
ANNE FAUVER, CHAIR

COMMUNICATIONS (CONT'D)

02-C-1403 (11) A Communication by **Mayor Shirley Franklin** appointing **Ms. Margaret Whitaker** to serve as a member of the In Rem Review Board of the City of Atlanta for a term of three (3) years, scheduled to begin on the date of Council confirmation. **(Filed by Community Development/Human Resources Committee, 8/27/02)**
FILED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

ORDINANCES FOR SECOND READING

02-O-1441 (1) An Ordinance by **Committee on Council** to amend the 2001 City of Atlanta Precinct and Polling Places in Precincts 1G, 2F, 2H, 3C, 3S, 5E, 6D, 6F, 7C, 7E1, 7E2, 7G, 7H, 7L, 8D, 8E, 8S and 10E; and for other purposes.
ADOPTED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

02-O-1467 (2) An Ordinance by **Councilmember Howard Shook** to correct Ordinances Z-02-05/Z-99-02 (02-O-0356) adopted by the City Council April 1, 2002 and approved by the Mayor April 5, 2002, granting a Site Plan Amendment and change of conditions, property located at **3655 Peachtree Road, NE** so as to incorporate a corrected letter of conditions.
ADOPTED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

The following items (02-O-0237 and 02-O-0240) were taken as a collective vote.

02-O-0237 (3) An Ordinance by **Councilmember Clair Muller** to amend Chapter Two, Article II, Division 2 of the Code of Ordinances of the City of Atlanta by amending Section 2-66; to set a time limit for the Conduct of Regular City Council Meetings; to repeal conflicting ordinances; and for other purposes. **(Held 2/18/02)**
FILED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

02-O-0240 (4) An Ordinance by **Councilmember Clair Muller** to amend Chapter Two, Article II, Division 2, of the Code of Ordinances of the City of Atlanta by amending Section 2-66; to set a time limit for the Conduct of Regular City Council Meetings; to repeal conflicting ordinances; and for other purposes. **(Held 2/18/02)**
FILED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (4)
ANNE FAUVER, CHAIR

ORDINANCE FOR FIRST READING

02-O-1577 (1) 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 November 5, 2002 to fill the vacated Atlanta Board of Education District Seat 1, to appoint as Municipal Election Superintendent the Fulton County Board of Registration and Elections with the Director of the Fulton County Department of Registration and Elections acting as its agent for the purpose of conducting said election, and for other purposes.

REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

CITY UTILITIES COMMITTEE (1)
CLAIR MULLER, CHAIR

Attendance at the August 27, 2002 meeting of the City Utilities Committee was as follows:

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

Absent: Councilmember Willis

ORDINANCES FOR SECOND READING

02-O-0262 (1) An Ordinance by **Councilmember Derrick Boazman** to amend an Ordinance to abandon Casplan Street, SW from Metropolitan Parkway, SW to Harden Street, SW and to abandon Harden Street, SW from Casplan Street, SW to a point approximately 863 feet southeasterly, lying and being in Land Lot 89 of the 14th District of Fulton County, Georgia; and for other purposes.

The above item was forwarded with No Recommendation from committee. Council, however, deferred 02-O-0262 until later in the meeting to get information needed to move forward with the ordinance. Later during the meeting, Councilmember Muller was recognized and made a Motion to Table stating the information was not provided. It was properly Seconded and the Motion CARRIED Without Objection.

TABLED WITHOUT OBJECTION

02-O-1257 (2) 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. **(3RD READING, FINAL ADOPTION)**
ADOPTED BY A ROLL CALL VOTE OF 12 YEAS; 2 NAYS FOR 3RD READING/FINAL ADOPTION

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

CITY UTILITIES COMMITTEE (2)
CLAIR MULLER, CHAIR

RESOLUTION

- 02-R-1377 (1) A Resolution by **City Utilities Committee** authorizing the Mayor to apply for and accept a Recycling and Waste Reduction Grant in the amount of \$14,890.00 from the Georgia Environmental Facilities Authority (GEFA) intended for development and implementation of a program to recycle used automobile tires.
FILED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

ITEM REMOVED FROM CONSENT AGENDA

- 02-R-1458 (1) A Resolution by **Councilmember Clair Muller as Amended by City Utilities Committee** calling for the cooperation of all restaurants within the City of Atlanta to voluntarily not serve customers (tap) drinking water, unless specifically requested by a customer, as one step in assisting the City of Atlanta in conservation of one of its most precious resources – water; and to send a message to other cities in Georgia that we are doing what we can in the conservation of water.

The above item was removed from the Consent Agenda by request of Councilmember Maddox. Mr. Maddox posed questions to Chairperson Muller, who is also, the author of the legislation. After response from Councilmember Muller, the Motion to Adopt was moved and CARRIED by a roll call vote of 14 yeas; 0 nays.

**ADOPTED 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 (1)
CLETA WINSLOW, CHAIR

Attendance at the August 27, 2002 meeting of the Community Development/Human Resources Committee was as follows:

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

Absent: Councilmember Archibong

ORDINANCE FOR SECOND READING

02-O-0837 (1) An Ordinance by **Councilmember Clair Muller** to amend the City of Atlanta Code of Ordinances, Section 110-60 to require that all City Parks close 30 minutes following sunset and open 30 minutes following sunrise; and for other purposes.
FILED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

RESOLUTION

02-R-1335 (1) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to submit to the U.S. Department of Housing and Urban Development an amendment to the 2000-2004 Consolidated Plan for the Atlanta Housing Authority for the purpose of updating information and adding Capitol Homes, Grady Homes, McDaniel-Glenn and University Homes as potential Hope VI Projects for demolition and replacement with Mixed Income Communities; and for other purposes. **(Public Hearing held 8/27/02)**

Resolution 02-R-1335 was forwarded from committee with a Favorable recommendation. A brief discussion ensued in which Councilmember Boazman Called the Question. The Motion of the Question was then CARRIED by Voice Vote. Subsequently, the Motion to Adopt 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 BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS; 1 ABSTENTION

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (1)

CEASAR C. MITCHELL, CHAIR

Attendance at the August 27, 2002 meeting of the Public Safety and Legal Administration Committee was as follows:

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

Absent: Councilmember Archibong

The Standing Committee of Public Safety and Legal Administration Committee did not have a report.

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (1)

H. LAMAR WILLIS, CHAIR

Attendance at the August 28, 2002 meeting of the Transportation Committee was as follows:

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

Absent: None

RESOLUTIONS

02-R-1387 (1) A Resolution by **Transportation Committee** to authorize select retired employee to be compensated on a one-time basis for airport security work performed as an independent contractor, said compensation to be reimbursed by the Transportation Security Administration (TSA), and to be paid from Fund, Account and Center Number: 2H01 524001 X42093; and for other purposes.

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

02-R-1493 (2) An **Amended** Resolution by **Transportation Committee** authorizing the Mayor or her designee to execute a Lease Agreement with AirTran Airways, Inc., (AirTran) to provide for the Construction, establishment and occupancy of an Aircraft Maintenance Hangar Facility on Tract 6A at the Hartsfield Atlanta International Airport, for a term commencing on the date of beneficial occupancy of the leased premises and terminating on September 20, 2010, subject to an optional lease term extension for a total lease term of twenty (20) years and the payment of applicable land rentals and amortizing Facilities Improvement Rentals, with all facilities to be constructed by AirTran and financed by the City of Atlanta at a cost not to exceed \$14,500,000.00, to be charged to and paid from Fund, Account and Center Number: 2H21 573001 R21E05079999; and for other purposes.

The above item was forward from committee with a Favorable as Amended on Condition recommendation. Chairperson Willis sounded the Caption to 02-R-1493 and offered a Substitute. It was properly Seconded and the Motion to bring forth the Substitute CARRIED by a roll call vote of 14 yeas; 0 nays. The Substitute was then before the Council. After a brief discussion, the Motion to Adopt on Substitute was moved and 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)

ZONING COMMITTEE (1)

DEBI STARNES, CHAIR

Attendance at the August 28, 2002 meeting of the Zoning Committee was as follows:

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

Absent: Councilmember Archibong

ORDINANCES FOR SECOND READING

02-O-1452 (1) An Ordinance by **Councilmember Cleta Winslow as Amended by Zoning Committee** to impose a moratorium for the issuance of Building Permits for construction on vacant lots in a certain portion of Oakland City that are designated as being zoned as C-1, C-2, I-1 RG-3, RL-C, R-4 and R-5 for a period of six months; and for other purposes.

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

02-O-0814 (2)
U-02-13 An Ordinance by **Councilmember Debi M. Starnes** granting a Special Use Permit for a Park-For-Hire Facility (Section 16-11.005 (1) (k)), property located at **181 Ralph David Abernathy Boulevard, S.W.**, fronting 141.61 feet on the West side of Central Avenue beginning at the Northwest corner of Ralph David Abernathy Boulevard. Property also fronts 100.07 feet on the East side of Pryor Street. Depth: varies; Area: 33,843 Square Feet; Land Lot 75, 14th District, Fulton County, Georgia. Owner: Saint Stephen Missionary Baptist Church; Applicant: Tarlee W. Brown; NPU-V Council District 4.

ADOPTED BY A ROLL CALL VOTE OF 13 YEAS; 1 NAY

02-O-1068 (3)
U-02-15 An Ordinance by **Zoning Committee** for a Special Use Permit for a Rehabilitation Center (Section 16-12.005(1)(d)), property located at **440 Ralph McGill Boulevard, N.E.**, fronting on the North side of Ralph McGill Boulevard, 100 feet from the intersection of the East Right-of-Way of Ralph McGill Boulevard. Depth: varies; Area: 3,945 Square Feet; Land Lot 47 of the 14th District, Fulton County, Georgia. Owner: Thomas W. Schoborg; Applicant: John L. Moseri; NPU-M; Council District 2.

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

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (2)

DEBI STARNES, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0877 (4)
Z-02-39 An Ordinance by **Zoning Committee** to rezone from the I-2 (Heavy Industrial) District to the C-1 (Community Business) District, property located at **1031 Huff Road, N.W.**, fronting 96 feet on the North side of Huff Road beginning Northwest corner of Booth Avenue and Huff Road. Depth: 100 feet; Area: .22 acres; Land Lot 188 of the 17th District, Fulton County, Georgia. Owner: Jerry J. Goux; Applicant: same; NPU-D Council District 9.
ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

02-O-1066 (5)
Z-02-46 An Ordinance by **Zoning Committee** to rezone from the PD-H (Planned-Development Housing) District to the C-2 (Commercial Service) District, property located at **McDonough Boulevard, S. E. (AKA 1840 New Town Circle, S. E.)**, fronting 611 feet on the North side of McDonough Boulevard beginning 233 feet from the Northwest corner of Henry Thomas Drive. Depth: varies; Area: 3.58 acres; Land Lots 8, 25 & 26 of the 14th District, Fulton County, Georgia. Owner: William Freeman; Applicant: Melvin Collins; NPU-Z Council District 1.
FILED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (1)

FELICIA A. MOORE, CHAIR

Attendance at the August 28, 2002 meeting of the **Finance/Executive Committee** was as follows:

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

Absent: None

REPORT

02-TR-1498 (1) Report of the **Chief Financial Officer** of the transfer of appropriations from One Line Item to another Line Item to various funds as approved under Section 6-304(h) of the Charter of the City of Atlanta.

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

ORDINANCES FOR SECOND READING

02-O-0459 (1) An Ordinance by **Councilmembers C. T. Martin, H. Lamar Willis, Mary Norwood, Ceasar C. Mitchell and Ivory Lee Young, Jr. as Amended by Finance/Executive Committee** to amend the Pension Acts applicable to the City of Atlanta so as to provide for a Temporary Early Retirement Program based upon a combination of age and years of service for employees in the General Employees Pension Fund; and for other purposes.

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

02-O-1296 (2) A Charter Amendment by **Councilmember Felicia A. Moore as Amended by City Council** adopted under and by virtue of the authority of the Municipal Home Rule Act of 1965, O.C.G.A. Section 36-35-1, et seq., as amended, so as to amend the Charter of the City of Atlanta, Georgia, 1996 Ga. Laws p. 4469, et seq., by amending Article Three, Chapter Five, Section 3-505 so as to authorize the reemployment of retirees under certain circumstances; to repeal conflicting ordinances; and for other purposes. (3RD READING, FINAL ADOPTION)

ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 13 YEAS; 1 NAY FOR 3RD READING/FINAL ADOPTION

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

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

RESOLUTIONS

02-R-1448 (1) A Resolution by **Councilmember Jim Maddox** to include in the 2003 Legislative Package for the City of Atlanta a request to the Georgia State General Assembly to enact legislation granting authority to the City of Atlanta to levy a 10% Gross Revenue Parking Surcharge; and for other purposes.

The above item was forwarded from committee with a Favorable on Condition recommendation. However, Chairperson Moore offered a Substitute. Without Objection, the Motion to bring forth the Substitute CARRIED by a roll call vote of 14 yeas; 0 nays. Therefore, the Substitute was before the Council. Ms. Moore then made a Motion to Adopt on Substitute stating the condition (detailed information to be placed in the substitute) has been met. 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-1487 (2) A Resolution by **Finance/Executive Committee** authorizing the Purchasing Agent to utilize the State of Georgia Contract 40100-216-0000000077 with Software Spectrum for the purchase of MS Select Software on behalf of the Department of Aviation in an amount not to exceed \$157,057.80.

The above resolution was forwarded from committee with a Favorable on Condition recommendation. However, Chairperson Moore made a Substitute Motion to Refer 02-R-1487 back to the Finance/Executive Committee stating the condition has not been met. Without Objection, the Motion to Refer CARRIED by a roll call vote of 14 yeas; 0 nays.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

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

ITEM REMOVED FROM CONSENT AGENDA

02-R-1137 (1) A Resolution by **Councilmembers Clair Muller and C. T. Martin** to place an item in the City's Legislative Package for the Georgia General Assembly for 2003; the exemption from school taxes for Atlanta citizens 65 years of age and over.

The above item was removed from the Consent Agenda by request of Councilmember Moore. Ms. Moore sounded the Caption to 02-R-1137. Following, Councilmember Muller was recognized and made a Motion to Refer the resolution back to the Finance/Executive Committee. It was Seconded by Councilmember Moore and the Motion CARRIED by a roll call vote of 14 yeas; 0 nays.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

PERSONAL PAPERS

Council President Cathy Woolard Presided

PERSONAL PAPERS

RESOLUTION/ADOPTED

02-R-1583 (1) A Resolution by **Councilmembers Derrick Boazman, Ceasar Mitchell, H. L. Willis, C. T. Martin, Natalyn Archibong, Debi Starnes, Carla Smith, Anne Fauver, Howard Shook, Jim Maddox, Felicia A. Moore and Clea Winslow** opposing the position taken by the Georgia State Department of Transportation Board, to decrease the percentage of contracts to be awarded under its Disadvantaged Business Enterprise program; and for other purposes.

Councilmember Boazman made a Motion to Adopt the above item. 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

ORDINANCES/REFERRED

02-O-1543 (1) An Ordinance by **Councilmember C. T. Martin** authorizing the Mayor or her designee to install a traffic signal at the intersection of Lynhurst Drive, S.W. and Cascade Road; and for other purposes.

REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION

02-O-1580 (2) An Ordinance by **Councilmembers Natalyn Archibong, Clair Muller, H. L. Willis, Mary Norwood, Debi Starnes, Carla Smith and Ceasar Mitchell** to amend Section 94-10 et seq. of the Code of Ordinances known as the Human Relations Commission Ordinance so as to effect certain operational and procedural changes; and for other purposes.

REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION

02-O-1581 (3) An Ordinance by **Councilmembers Derrick Boazman and Clea Winslow** to amend the Land Use Element of the 2002 Comprehensive Development Plan, as amended, so as to re-designate various properties in Council Districts 4 and 12 to and from various designations to reflect the land use recommendations in the Pittsburgh Community Redevelopment Plan; and for other purposes.

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

Council President Cathy Woolard Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

- 02-O-1582 (4) An Ordinance by **Councilmember Cleta Winslow** authorizing the Mayor or her designee to make the intersection of Eastridge Road and Avon Avenue, S.W. an all way stop; and for other purposes.
REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION
- 02-O-1584 (5) An Ordinance by **Councilmembers Mary Norwood, Derrick Boazman, C. T. Martin, Ceasar Mitchell, Howard Shook, H. L. Wills, Jim Maddox, Carla Smith and Debi Starnes** to amend Section 8-2094 (c) of the Code of Ordinances of the City of Atlanta, Georgia (The Atlanta Commercial, Institutional, and Industrial Building Maintenance Code, hereinafter, "The Code") so as impose minimum penalties for the violation thereof; to repeal conflicting ordinances; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION
- 02-O-1585 (6) An Ordinance by **Councilmember Debi Starnes** to establish a Residential Only Loading and Unloading Zone in Downtown Atlanta.
REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION
- 02-O-1586 (7) An Ordinance by **Councilmember Debi Starnes** authorizing the Commissioner of Public Works, on behalf of the Mayor, to waive Paragraph Four (4) of Section 138-60 of the Code of Ordinances of the City of Atlanta, for the issuance of a banner permit to all Saints' Church; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION
- 02-O-1587 (8) An Ordinance by **Councilmember C. T. Martin** to amend Chapter 98, Article II, Division One, Section 98-26 of the Code of Ordinances of the City of Atlanta, "Duties of Police Chief," so as to authorize the Chief of Police to make administrative changes in the employee work rules of the Atlanta Police Department; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 02-O-1590 (9) An Ordinance by **Councilmember Clair Muller** to amend Article "V", Classification Plan, Section 114-477, of the Code of Ordinances, City of Atlanta, Georgia, so as to transfer certain positions; 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-1591 (10) An Ordinance by **Councilmember Clair Muller** amending the 1999 Water and Wastewater Bond Fund Budget in the amount of \$3,000,000.00 for installation of small water meters with backflow prevention devices on behalf of the Department of Water; and for other purposes.

REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

02-O-1592 (11) An Ordinance by **Councilmember Clair Muller** amending the 2002 (2001 Water and Wastewater Bond Construction Fund) Budget in the amount of Two Million Eight Hundred Twelve Thousand Eight Hundred Fifty Dollars and No Cents (\$2,812,850.00) for a water quality and water quantity long-term monitoring network; to install water monitoring equipment; and for other purposes.

REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

02-O-1594 (12) An Ordinance by **Councilmember Howard Shook** to amend Section 16-29.001 (17) of the City of Atlanta Zoning Code so as to add a new numbered subsection 16-29.001 (17) 8.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

RESOLUTIONS/REFERRED

02-R-1579 (1) A Resolution by **Councilmember Jim Maddox** requesting that the Georgia State Legislature, at its 2003 Legislative Session, amend Section 16-12-20 of the Georgia Code so as to authorize municipalities with Special Entertainment Districts the authority to institute pari-mutuel betting and/or casino gambling; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

02-R-1588 (2) A Resolution by **Councilmember Clair Muller** authorizing the Mayor or designee to enter into an appropriate contractual agreement with Brown and Caldwell for FC-7401-02, Long Term Wastewater System Master Plan on behalf of the Department of Public Works in an amount not to exceed Two Million Nine Hundred Fifty Thousand Dollars (\$2,950,000.00). All contracted work shall be charged to and paid from Fund, Account and Center Numbers: 2J27 524001 M24I22029999.

REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

Council President Cathy Woolard Presided

PERSONAL PAPERS (CONT'D)

RESOLUTIONS/REFERRED (CONT'D)

02-R-1589 (3) A Resolution by **Councilmember Clair Muller** authorizing the Mayor or designee to approve a notice to proceed with Jordan, Jones and Goulding, Inc./Engineering Design Technologies, Inc., - JV for FC-6710-96D, Annual Contract for Architectural and Engineering Services to provide engineering and inspection personnel to monitor the existing United Water Service Atlanta Contract on behalf of the Department of Water in an amount not to exceed Nine Hundred Seven Thousand Six Hundred Thirty-Six Dollars (\$907,636.00); all contracted work shall be charged to and paid from Fund, Account and Center Number: 2J01 524001 Q21001.

REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

02-R-1593 (4) A Resolution by **Councilmember Clair Muller** authorizing the Mayor to enter into a contractual agreement with Kemi Construction Company, Inc., for FC-7412-02, Annual Contract for storm sewers on behalf of the Department of Public Works in an amount not to exceed Two Million Six Hundred Thirty Eight Thousand Three Hundred Fifty Dollars and No Cents (\$2,638,350.00), all contracted work shall be charged to and paid from Fund, Account and Center Numbers: 1C33 574001 M24I012992BB; 1C33 574001 M24I012792BB; 1C39 574001 M24I012692BB; 1C39 574001 M24I012529BB; 1C33 574001 M24I011092BB; 1C33 574001 M24I013192BB; 1C33 574001 M24I012492BB; 1C33 574001 M24I014592BB; 1C33 574001 M24I014692BB; 1C33 574001 M24I14792BB.

REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

ADJOURNMENT

Council President Cathy Woolard Presided

ADJOURNMENT

There being no further business to discuss the September 03, 2002 meeting of the Atlanta City Council was adjourned at 3:07 p.m.

ADJOURNMENT ROLL CALL: Council President Cathy Woolard (1); Councilmembers Smith, Starnes, Archibong, Fauver, Shook, Muller, Moore, Martin, Boazman, Mitchell, Norwood and Willis (12); Councilmembers Winslow and Maddox did not record their votes (2).