

ATLANTA CITY COUNCIL

ACTION/MINUTES

SEPTEMBER 16, 2002

The Atlanta City Council held its Regularly Scheduled Meeting on Monday, September 16, 2002. The Meeting convened at 1:02 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. **The Honorable Cleta Winslow, Council President Pro-Temp** presided a portion of the meeting.

Attendance:

The following (14) voting members were present at the Meeting:

The Honorable Carla Smith	The Honorable Clair Muller
The Honorable Debi Starnes	The Honorable Felicia Moore
The Honorable Ivory Lee Young, Jr.	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 H. Lamar Willis

Councilmember Mary Norwood was absent.

INVOCATION: **Chaplain Thomas Houston** of the Atlanta Fire 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 **September 03, 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 16, 2002** meeting was **ADOPTED** without objection.

COMMUNICATIONS

Council President Cathy Woolard Presided

COMMUNICATIONS

02-C-1618 (1) A Communication by **Councilmembers Natalyn Archibong, Anne Fauver and Mary Norwood** submitting their nomination of Mr. Young T. Hughley to serve as a member for the People TV Board of Directors.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

02-C-1619 (2) A Communication by **Mayor Shirley Franklin** appointing Dr. Hazel J. Scott to serve as a member of the Atlanta Commission on Women 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 COMMITTEE ON COUNCIL WITHOUT OBJECTION

02-C-1620 (3) A Communication by **Mayor Shirley Franklin** re-appointing Eva B. Davis to serve as a Taxicab & Vehicles for Hire Hearing Officer for the City of Atlanta. This re-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 WITHOUT OBJECTION

02-C-1621 (4) A Communication by **Mayor Shirley Franklin** re-appointing Lynn P. Cobb to serve as a member of the Keep Atlanta Beautiful Board of the City of Atlanta. This re-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-1622 (5) A Communication by **Mayor Shirley Franklin** re-appointing Lisa P. Haygood to serve as a member of the Keep Atlanta Beautiful Board of the City of Atlanta. This re-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-1623 (6) A Communication by **Mayor Shirley Franklin** appointing Clinton E. Dye, III to serve as a member of the In Rem Review 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.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION

Council President Cathy Woolard Presided

COMMUNICATIONS (CONT'D)

- 02-C-1624 (7) A Communication by **Mayor Shirley Franklin** appointing John Aderhold to serve as a member of the Woodruff Park 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-1625 (8) A Communication by **Mayor Shirley Franklin** appointing Leonardo Alvarez to serve as a member of the Urban Design Commission of the City of Atlanta in the position of Landscape Architect. This appointment is for a term of three (3) 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-1639 (9) A Communication by **Council President Cathy Woolard** re-appointing Mr. Scott Walker to the Human Relations Commission.
REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 02-C-1640 (10) A Communication by **Mayor Shirley Franklin** appointing Mr. Charles Graves as the Commissioner of Planning and Neighborhood Development.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE AND COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 02-C-1641 (11) 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 September 03, 2002 and September 16, 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. The Motion CARRIED Without Objection.

TABLED SUBSTITUTE WITHOUT OBJECTION

Council President Cathy Woolard Presided

UNFINISHED BUSINESS (CONT'D)

02-O-0262 (4) 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 Tabled at the Regularly Scheduled meeting of September 03, 2002. During this meeting, Councilmember Muller made a Motion to remove 02-O-0262 from the Table. Without Objection, the Motion CARRIED and the item was before the Council. Ms. Muller then offered a Substitute. It was Seconded by Councilmember Boazman and the Motion to bring forth the Substitute CARRIED by a roll call vote of 14 yeas; 0 nays. A discussion ensued in which Council deferred the legislation to retrieve more information. Later during the meeting, the information requested was obtained; therefore, Councilmember Muller made a Motion to Adopt. It was properly Seconded and a brief discussion ensued, in which, Councilmember Moore offered an Amendment to add the Attachment/Exhibit to the legislation. It was properly Seconded and the Moore Amendment CARRIED by a roll call vote of 13 yeas; 0 nays. Subsequently, the Motion to Adopt on Substitute as Amended CARRIED by a roll call vote of 13 yeas; 0 nays.

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

**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-1591, 02-O-1592, 02-R-1589, 02-R-1540 and 02-R-1542 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, Martin, Maddox, Boazman, Mitchell, and Willis* **0 Nays.**

SECTION I

ORDINANCES FOR SECOND READING

CITY UTILITIES COMMITTEE
CLAIR MULLER, CHAIR

02-O-1453 (1) An Ordinance by **Councilmembers Debi Starnes, Clair Muller and Jim Maddox** to authorize the extension of public sanitary sewerage system in portions of the public rights-of-way of West Wesley Road, Powers Ferry Road, Lake Forest Drive, Moores Mill Road, Euclid Avenue and Blanton Road in the City of Atlanta; and for other purposes. **(Public Hearing held 9/10/02)**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

02-O-1586 (2) An Ordinance by **Councilmember Debi Starnes as Amended by City Utilities Committee** authorizing the Commissioner of Public Works, on behalf of the Mayor to waive paragraph four (4) of Section 138-60 of the Code of Ordinances of the City of Atlanta, for the issuance of a Banner Permit to All Saints' Church; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE
OF 14 YEAS; 0 NAYS

02-O-1591 (3) 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.

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

SEE CITY UTILITIES COMMITTEE REPORT

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-1592 (4) An Ordinance by **Councilmember Clair Muller** amending the 2002 (2001 Water and Wastewater Bond Construction Fund) Budget in the amount of \$2,812,850.00 for a Water Quality and Water Quantity Long-Term Monitoring Network; to install water monitoring equipment; and for other purposes.

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

SEE CITY UTILITIES COMMITTEE REPORT

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

CEASAR C. MITCHELL, CHAIR

02-O-1496 (5) 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.

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

TRANSPORTATION COMMITTEE

H. LAMAR WILLIS, CHAIR

02-O-1389 (6) 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.

**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-1390 (7) 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.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

FINANCE/EXECUTIVE COMMITTEE

FELICIA A. MOORE, CHAIR

- 02-O-0791 (8) An **Amended Ordinance #2** by **Finance/Executive Committee** to amend the General Employees Pension Fund Law Adopted by Ga. L. 1927, et seq. so as to amend Ordinance Number 01-O-0064, the establishment of a Defined Contribution Retirement Plan, so as to provide for the inclusion of all elected and appointed officials; to clarify the rights of General Employees Pension Fund provided for the transfer of the present actuarial value of an employee's plan benefit under the General Employees Pension Fund into the defined contribution plan; to incorporate, by reference, the provisions of the plan document; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 02-O-1258 (9) An Ordinance by **Councilmember Anne Fauver as Substituted by Finance/Executive Committee** amending the 2002 (Intergovernmental Grant Fund) Budget, Department of the Mayor, by adding to anticipations and appropriations in the amount of \$20,000.00 from the Governor's Office of Community Affairs 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.
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)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, CHAIR

- 02-O-1298 (10) An Ordinance by **Councilmember Howard Shook as Substituted by Finance/Executive Committee** amending the 2002 (Intergovernmental Grant Fund) Budget, Atlanta City Council, by adding to anticipations and appropriations in the amount of \$20,000.00 from the Governor's Office of Community Affairs Emergency Fund Grant for the City of Atlanta, Atlanta City Council, to assist with program expenses for software upgrades and licensing; to authorize the Mayor to sign all necessary grant agreements; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 02-O-1391 (11) An **Amended** 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.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 02-O-1395 (12) An **Amended** 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 from the Georgia Department of Natural Resources for the purpose of contracting with the Urban Design Commission to prepare two Thematic Historic Resource Studies; and for other purposes.
ADOPTED AS AMENDED 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)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, CHAIR

- 02-O-1450 (13) An Ordinance by **Councilmember Jim Maddox as Substituted by Finance/Executive Committee** to amend the Code of Ordinances of the City of Atlanta, Georgia to effect reorganization of the Executive Branch pursuant to Section 3-302 of the Charter of the City of Atlanta, Georgia (1996 Georgia Laws pp. 4469, et seq., as amended) so as to re-designate Code Section 2-266 through 2-275 as New Code Sections 2-160 through 2-169; to amend Section 2-182, to create new Sections 2-183-through 2-201; to create new Sections 2-220 through 2-399 to provide for administrative reorganization of the Executive Branch; to amend Chapter Two so as to substitute references to the Purchasing Agent with Chief Procurement Officer; to substitute all references to the Commissioner of the Water and to insert in lieu thereof the Director of the Bureau of Water; to amend Sections 2-2012(19), 62-1, 62-41, 62-63, 62-81, 62-83, 62-87(c), 62-88, 98-136, 98-152, 98-153, 98-154, 98-155, 98-156, 98-158, 98-160, 98-161, 98-163, 98-164, 98-179 so as to correct references to the Chief of Corrections; to repeal conflicting ordinances; and for other purposes. **(Work Session Held 9/5/02)**
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

RESOLUTIONS

CITY UTILITIES COMMITTEE

CLAIR MULLER, CHAIR

- 02-R-1535 (1) An **Amended** Resolution by **City Utilities Committee** authorizing the purchase of property, for Grier Brothers Enterprise, Inc., near the intersection of Welcome All Road and Fairburn Road, located in Land Lot 36 of the 14FF District, Fulton County, Georgia.
ADOPTED AS AMENDED 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-1589 (2) 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 \$907,636.00; all contracted work shall be charged to and paid from Fund, Account and Center Number: 2J01 524001 Q21001.

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

SEE CITY UTILITIES COMMITTEE REPORT

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

CLETA WINSLOW, CHAIR

02-R-1540 (3) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor or her designee to issue a Notice to Proceed with Delon Hampton & Associates/W. L. Jorden and Company, Inc. – JV for FC-6710-96C, Annual Contract for Architectural and Engineering Services to provide additional construction services for Adamsville Recreation Center on behalf of the Department of Parks, Recreation and Cultural Affairs in an amount not to exceed \$106,351.02; all contracted work shall be charged to and paid from Fund, Account and Center Numbers; 1B01 571001 N12D11D3A51A and 1B01 529002 N12D11D3A52A.

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

SEE COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE REPORT

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-1541 (4) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to enter into an appropriate Contractual Agreement with Picture You Bookstore and Gift Shop, for FC-7411-02, the Atlanta Cyclorama Bookstore (RFP) on behalf of the Department of Parks, Recreation and Cultural Affairs; revenue generated first year \$24,000.00 in twelve (12) equal monthly installments, second year \$24,000.00 in twelve (12) equal monthly installments, third year \$24,000.00 in twelve (12) equal monthly installments, plus an additional two percent (2%) of all gross sales over \$200,000.00; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

02-R-1542 (5) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor or her 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 perform assessment of buried degradable waste material and methane gas at D. L. Stanton Park on behalf of the Department of Parks, Recreation and Cultural Affairs in an amount not to exceed \$3,300.00; all contracted work shall be charged to and paid from Fund, Account and Center Number: 1B01 573001 N12D1652A201; and for other purposes.

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

SEE COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE REPORT

02-R-1546 (6) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to enter into a contract agreement with the Community Alliance of Metropolitan Parkway, Inc. (CAMP), for the purpose of implementing Project HM-1999-12, to provide for the costs for acquisition, rehabilitation and/or new construction of six (6) single family houses, to be sold to moderate, low and very low income first time homebuyers; 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)

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

- 02-R-1526 (7) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of the claim of Eddie Louis in the amount of \$3,125.21 against the City of Atlanta.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1527 (8) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of the claim of Jacob Vaknin in the amount of \$6,630.61 against the City of Atlanta arising from a sewer backup.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1528 (9) A Resolution by **Public Safety and Legal Administration Committee** authorizing payment in the amount of \$2,600.00 in settlement of the claim of Robert and Merrimac C. Penman against the City of Atlanta.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1529 (10) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of the claim of Elizabeth Minnifield in the amount of \$286.73 against the City of Atlanta; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1530 (11) A Resolution by **Public Safety and Legal Administration Committee** authorizing payment in the amount of \$185.05 in settlement of the claim of Patrick Michael and Maria J. Kotora, against the City of Atlanta; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1531 (12) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of the claim of Nelson Van Brookings in the amount of \$361.53 against the City of Atlanta; 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)

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

02-R-1532 (13) A Resolution by **Public Safety and Legal Administration Committee** authorizing payment in the amount of \$8,571.00 to Jerry Mchan in settlement of his claim against the City of Atlanta; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

02-R-1560 (14) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor to enter into a Lease Agreement with the Trustees, Israel Baptist Church, for the rental of 9,000 square feet of office space located at 2025 Hosea Williams Drive, SE, Atlanta, Georgia, for the Department of Police Zone Six Precinct, from October 1, 2002 until September 30, 2003, in the amount not to exceed \$76,411.56 a year, to be charged and paid from Account Number 1A01 525001 X42006.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

02-R-1561 (15) A **Substitute** Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor to apply for and accept a grant from the U. S. Department of Health and Human Services in an amount not to exceed \$300,000.00 and to be matched with no more than \$100,000.00 to implement a program to enhance police response to mentally ill offenders; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

02-R-1615 (16) A Resolution by **Public Safety and Legal Administration Committee** expressing the support of the Atlanta City Council for the City of Atlanta to engage in a Cooperative Procurement Activity with the Government of Fulton County for the purpose of securing Professional Food Service for the Atlanta Pre-Trial Detention and Corrections Center; 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)

TRANSPORTATION COMMITTEE

H. LAMAR WILLIS, CHAIR

02-R-1563 (17) A Resolution by **Transportation Committee** authorizing the Mayor to execute an appropriate contractual agreement for FC-7369-01B, Architectural and Engineering Major Support Services with Hartsfield America Joint Venture comprised of PBS&J and Brindley Pieters & Associates, Inc., to provide Civil Engineering Services for the Department of Aviation in accomplishing the Capital Expansion Program and other passenger and facility improvements at Hartsfield Atlanta International Airport based on actual hourly rates times the agreed upon multiplier; all services shall be charged to and paid from Various Fund, Account and Center Numbers.

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

02-R-1564 (18) An **Amended** Resolution by **Transportation Committee** authorizing the Mayor to execute an appropriate contractual agreement for FC-7370-01A, Architectural and Engineering Design Support Services with Prime, Harrington, Powell, Smarts to provide Civil Engineering Services for the Department of Aviation in accomplishing the Capital Expansion Program and other passenger and facility improvements at Hartsfield Atlanta International Airport based on actual hourly rates times the agreed upon multiplier; all services shall be charged to and paid from Various Fund, Account and Center Numbers.

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

02-R-1565 (19) A Resolution by **Transportation Committee** authorizing the Mayor to execute an appropriate contractual agreement for FC-7369-01D, Architectural and Engineering Major Support Services with Hartsfield Support Services Team comprised of Heery International, Inc.; SDG Associates; Matrix 3D; Richard & Wittschiebe Architects, Inc.; to provide Civil Engineering Services for the Department of Aviation in accomplishing the Capital Expansion Program and other passenger and facility improvements at Hartsfield Atlanta International Airport based on actual hourly rates times the agreed upon multiplier; all services shall be charged to and paid from Various Fund, Account and Center Numbers.

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-1566 (20) An **Amended** Resolution by **Transportation Committee** authorizing the Mayor to execute an appropriate contractual agreement for FC-7370-01B, Architectural and Engineering Design Support Services with Aviation Consulting Team comprised of Pond & Company, IMDC and the LPA Group to provide Civil Engineering Services for the Department of Aviation in accomplishing the Capital Expansion Program and other passenger and facility improvements at Hartsfield Atlanta International Airport based on actual hourly rates times the agreed upon multiplier; all services shall be charged to and paid from Various Fund, Account and Center Numbers.

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

02-R-1568 (21) An **Amended** Resolution by **Transportation Committee** authorizing the Mayor to execute an appropriate contractual agreement for FC-7369-01C, Architectural and Engineering Major Support Services with Atlanta Gateway Designers, Joint Venture Comprised of Gresham, Smith & Partners and Duckett & Vandevere Associates, Inc., to provide Architectural and Engineering Services for the Department of Aviation in accomplishing the Capital Expansion Program and other passenger and facility improvements at Hartsfield Atlanta International Airport based on actual hourly rates times the agreed upon multiplier; all services shall be charged to and paid from Various Fund, Account and Center Numbers.

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

02-R-1569 (22) A Resolution by **Transportation Committee** authorizing the Mayor or her designee to execute an agreement with the Atlanta Airlines Terminal Corporation (AATC) for accomplishment by AATC to remove and replace the terminal corridor accent lighting in the inner corridors leading from the atrium at Hartsfield Atlanta International Airport, for a cost to the City not to exceed \$91,500.00; to be charged to and paid from Fund, Account and Center Number: 2H21 574001 R21001.

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-1570 (23) A Resolution by **Transportation Committee** authorizing the Mayor to execute an appropriate contractual agreement for FC-7369-01A, Architectural and Engineering Major Support Services with Hartsfield Transportation Group Comprised of Jordan Jones & Goulding, Edwards & Kelcey and US Infrastructure to provide Civil Engineering Services for the Department of Aviation in accomplishing the Capital Expansion Program and other passenger and facility improvements at Hartsfield Atlanta International Airport based on actual hourly rates times the agreed upon multiplier; all services shall be charged to and paid from Various Fund, Account and Center Numbers.

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

02-R-1572 (24) A Resolution by **Transportation Committee** authorizing the Mayor to execute an appropriate contractual agreement for FC-7370-01D, Architectural and Engineering Design Support Services with Stanley Love-Stanley, PC, to provide Architectural and Engineering Services for the Department of Aviation in accomplishing the Capital Expansion Program and other passenger and facility improvements at Hartsfield Atlanta International Airport based on actual hourly rates times the agreed upon multiplier; all services shall be charged to and paid from Various Fund, Account and Center Numbers.

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

02-R-1573 (25) A Resolution by **Transportation Committee** authorizing the Mayor or her designee to execute an Airport Use License Agreement with World Airways, Inc., 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)

TRANSPORTATION COMMITTEE (CONT'D)

H. LAMAR WILLIS, CHAIR

- 02-R-1574 (26) A Resolution by **Transportation Committee** authorizing the Mayor or her designee to execute a temporary space permit with the Hartsfield Area Transportation Management Association which shall provide for the use of approximately 929.07 square feet of space on the lower level of the North Terminal Building at Hartsfield Atlanta International Airport; 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-1487 (27) An **Amended** 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. **(Referred back from Council 9/3/02)**
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 02-R-1533 (28) A Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into an Encroachment and Easement Agreement with W. James Buzbee for the purpose of allowing certain encroaching improvements at the City's Fire Station Number 13, in the vicinity of 447 Flat Shoals Avenue, SE, to continue to encroach on property located in the vicinity of 457 Flat Shoals Avenue, SE; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**
- 02-R-1557 (29) A Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into an appropriate contractual agreement with Philips and Jordan, Inc., for FC-7480-02, Airfield Erosion Control and Revegetation, on behalf of the Department of Aviation, in an amount not to exceed \$303,105.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2H21 574001 R21E05079999.
**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-1558 (30) A Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into an appropriate contractual agreement with Metro Waterproofing, Inc. for FC 7361-01, North and South Parking Deck Improvements – Structural Repairs, on behalf of the Department of Aviation, in an amount not to exceed \$2,967,454.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2H27 574001 R21E010693CG.

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

02-R-1559 (31) A Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into an appropriate contractual agreement with Precision 2000 for FC-7446-02, Stormwater Detention Basin Maintenance, on behalf of the Department of Aviation, in an amount not to exceed \$339,383.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2H21 574001 R21E05079999.

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

02-R-1616 (32) A Resolution by **Finance/Executive Committee** authorizing the Purchasing Agent to utilize the State of Georgia Contract 80667-004g with Logical Choice Technologies for the purchase of upgrading sun equipment pertaining to the Oracle Financial Project of behalf of the Department of Aviation in an amount not to exceed \$455,060.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2H21 575001 R21E011219999.

**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
CEASAR C. MITCHELL, CHAIR

Claims with Favorable Recommendations:

02-R-1507 (1) Claim of **Lester L. Leslie**, for damages alleged to have been sustained as a result of driving over an unsecured construction plate in the roadway at North Avenue and Boulevard on November 23, 2001. **\$1,000.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

02-R-1508 (2) Claim of **Kevin Patrick Southard**, for damages alleged to have been sustained as a result of a stopped up catch basin on August 23, 2000 at North Avenue and Penn Avenue. **\$2,000.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

02-R-1509 (3) Claim of **Kimberly Biggs-Lynn**, for damages alleged to have been sustained from an automobile accident on June 12, 2002 at the Boulevard Exit and Interstate 20. **\$1,295.31**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

02-R-1510 (4) Claim of **Central Fire Protection Inc., as subrogee of Kevin Connolly**, for damages alleged to have been sustained as a result of a vehicular accident on May 27, 2002 at Fulton Street, SW and Windsor Street, SW. **\$2,000.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Claims with Unfavorable Recommendations:

02-R-1502 (5) Claim of **Tracy M. Williams**, for damages alleged to have been sustained from driving over a pothole in the road on May 17, 2000 at the intersection of South Atlanta Road, NW and Marietta Boulevard, 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-1503 (6) Claim of **Patricia Claiborne**, for damages alleged to have been sustained after stepping into an uncovered meter in the sidewalk on November 9, 2001 at 1714 Jonesboro Road, NE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1504(7) Claim of **Francis Hart**, for injuries due to falling into an uncovered water meter hole on October 29, 1999 at Kerry Drive near Perry Homes.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1505 (8) Claim of **Liberty Mutual Fire Insurance Company as subrogee of Vickie S. Reel**, for damages alleged to have been sustained as a result of a vehicular accident on January 17, 2002 at Interstate 75/85 at Martin Luther King, Jr. Drive.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1506 (9) Claim of **Walter Reid**, for damages alleged to have been sustained as a result of personal items confiscated during an arrest on April 28, 2000 at 295 Ponce de Leon.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1511 (10) Claim of **Margaret Ryan Steiner**, for damages alleged to have been sustained as a result of vehicular damage due to a pothole on May 4, 2002 on Roswell Road at Wieuca Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1512 (11) Claim of **Paul M. Miller, through his insurance carrier, State Farm Insurance Company**, for damages alleged to have been sustained as a result of a vehicular accident on January 29, 2002 at Candler Road and Tupelo Street.
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-1513 (12) Claim of **Atlanta Newspaper**, for damages alleged to have been sustained as a result of Workers Compensation benefits paid to its employee due to a fall on February 4, 2002 on Fairlie Street.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1514 (13) Claim of **Alice Booker**, for damages alleged to have been sustained as a result of vehicular damage due to a pothole August 14, 2002 on Commerce Drive between West Ponce de Leon and Clairmont Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1515 (14) Claim of **Cut Rate Box Company, Inc.**, for damages alleged to have been sustained as a result of an undisclosed event on March 22, 2002 at an undisclosed location.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1516 (15) Claim of **Adrienne C. Bruce**, for damages alleged to have been sustained as a result of driving over an unsecured construction cut in the road on January 21, 2002 at 782 Charles Allen Drive.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1517 (16) Claim of **Kimberly Sowers**, for damages alleged to have been sustained from a metal plate that was improperly covering a construction cut in the roadway on November 14, 2000 at Mt. Paran Road, NW and Mt. Paran Parkway, NW.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1518 (17) Claim of **James D. Cary, III**, for damages alleged to have been sustained from a road striping project on June 15, 2002 at 2298 Peachtree Road, 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-1519 (18) Claim of **Kenneth Horowitz**, for damages alleged to have been sustained from a road-stripping project on June 5, 2002 at 2298 Piedmont Road, NE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1520 (19) Claim of **Tracy Miksell, through her attorney, Robert A. Katenkamp**, for damages alleged to have been sustained as a result of a vehicular accident on December 14, 2001 at Pratt and Decatur Streets.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1521 (20) Claim of **Jill S. Saleeby**, for damages alleged to have been sustained from tripping and falling on an uneven section of sidewalk on January 25, 2001 on Harris Street.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1522 (21) Claim of **David A. Stevenson**, for damages alleged to have been sustained as a result of an orange barricade come rolling in front of his vehicle on August 7, 2002 at Interstate 20 between Exits 51 and 51B.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1523 (22) Claim of **John A. McCormack**, for damages alleged to have been sustained as a result of driving his vehicle over a pothole in the road on July 18, 2002 at 3900 Crown Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 02-R-1524 (23) Claim of **Curtis Mosley, Jr., through his attorney, John C. Forbes, Esq.**, for damages alleged to have been sustained as a result of a vehicular accident on November 9, 2001 at Fair Drive, 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-1525 (24) Claim of **Sharon Dixon Kendrick, through her attorney, Daniel R. Long, Esq.**, for damages alleged to have been sustained as the result of bodily injuries when tripping on a piece of rebar steel that was protruding from the sidewalk on June 30, 2001 at Hank Aaron Drive, SE and Georgia Avenue, SE.
**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-1534 (1) An Ordinance by **City Utilities Committee** authorizing the negotiations and acquisition of property and the use of condemnation proceeding if necessary to acquire property located at 2631 Cascade Road, in Land Lot 201 of 14th District, Fulton County, Georgia, Subdivision Lot 43 Block "A" Spring Park Phase II in connection with the new Cascade Road Sewage Pumping Station required by the EPA/EPD SSO Consent Order.
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

CLETA WINSLOW, CHAIR

- 02-O-1544 (2) An Ordinance by **Community Development/Human Resources Committee** amending the 2002 (Trust Fund) Budget by anticipating and appropriating \$446,097.00 in the Workforce Investment Act (WIA) Adult Funds; anticipating and appropriating \$219,950.00 in Workforce Investment Act (WIA) Dislocated Workers Funds; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION
- 02-O-1537 (3) An Ordinance by **Community Development/Human Resources Committee** to create the "Misty Amber Senior Apartments Housing Enterprise Zone"; to be located at **3704 (a.k.a. 3712) Martin Luther King, Jr. Drive**; and for other purposes. (Advertised for a Public Hearing 9/23/02)

NPU-H

Council District 10

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-1538 (4) An Ordinance by **Community Development/Human Resources Committee** to create the “Carlyle Park Housing Enterprise Zone”; to be located at **225 Wesley Avenue, NE (a.k.a. 1565 LaFrance Street, NE)**; and for other purposes. **(Advertised for a Public Hearing 9/23/02)**

NPU-O

Council District 5

REFERRED TO COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

02-O-1539 (5) An Ordinance by **Community Development/Human Resources Committee** to create the “Holly Ridge Apartments Housing Enterprise Zone”; to be located at **1620 Hollywood Road, NW**; and for other purposes. **(Advertised for a Public Hearing 9/23/02)**

NPU-G

Council District 9

REFERRED TO COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

02-O-1549 (6) An Ordinance by **Community Development/Human Resources Committee** to create the “Etheridge Courts Apartments Housing Enterprise Zone”; to be located at **2500 Center Street, NW**; and for other purposes. **(Advertised for a Public Hearing 9/23/02)**

NPU-G

Council District 9

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-1550 (7) An Ordinance by **Community Development/Human Resources Committee** to create the “Legacy Superblock at Castleberry Hill Mixed-Use Residential/Commercial Enterprise Zone”; to be located at Castleberry Hill (property that is bounded generally by Northside Drive, Larkin Street, Walker Street and McDaniel Street); and for other purposes. **(Advertised for a Public Hearing 9/23/02)**

NPU-M

Council District 2, 3 and 4

REFERRED TO COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

02-O-1551 (8) An Ordinance by **Community Development/Human Resources Committee** to create the “Hill Street Lofts Housing Enterprise Zone; to be located at **222 Englewood Avenue, SE (a.k.a. 119 Milton Terrace, SE) & 1200 Milton Terrace, SE.**; and for other purposes. **(Advertised for a Public Hearing 9/23/02)**

NPU-Y

Council District 1

REFERRED TO COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

02-O-1552 (9) An Ordinance by **Community Development/Human Resources Committee** to create the “Arizona Lofts Mixed-Use Residential/Commercial Enterprise Zone”; to be located at **130, 195, & 215 Arizona Avenue, SE (a.k.a. 1721 DeKalb Avenue, NE)**; and for other purposes. **(Advertised for a Public Hearing 9/23/02)**

NPU-O

Council District 5

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-1553 (10) An Ordinance by **Community Development/Human Resources Committee** to create the “Anderson-McGriff Lofts Mixed-Use Residential/Commercial Enterprise Zone”; to be located at **1335 Marietta Boulevard, NW and 1410 Ellsworth Industrial Drive, NW**; and for other purposes. **(Advertised for a Public Hearing 9/23/02)**

NPU-D

Council District 9

REFERRED TO COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

02-O-1554 (11) An Ordinance by **Community Development/Human Resources Committee** to create the “Peaks at Martin Luther King Housing Enterprise Zone”; to be located at **2429 (a.k.a. 2424) Martin Luther King, Jr. Drive (at Hamilton E. Holmes Drive)**; and for other purposes. **(Advertised for a Public Hearing 9/23/02)**

NPU-I

Council District 10

REFERRED TO COMMUNITY DEVELOPMENT/ HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

02-O-1555 (12) An Ordinance by **Community Development/Human Resources Committee** to create the “Midtown West Lofts Mixed-Used Residential/Commercial Enterprise Zone”; to be located at **882-966 Marietta Street, NW (a.k.a. 950 Marietta Street, NW)**; and for other purposes. **(Advertised for a Public Hearing 9/23/02)**

NPU-E

Council District 3

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-1547 (13) 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 July 25, 2002.

1019 Valley View Road, SE 12

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

02-O-1548 (14) 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 July 25, 2002.

2025 Detroit Avenue, NW 03
3775 Forrest Park Road, SE 12
612 Jones Avenue, NW 03
558 Western Avenue, NW 03
562 Western 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-1595 (15) An Ordinance by **Community Development/Human**
CDP-02-19 **Resources Committee** to amend the Land Use Element of the
City of Atlanta 2003 Comprehensive Development Plan (CDP) so as
to re-designate property that is located at **608 Ralph McGill**
Boulevard, NE, from the “Low Density Residential” Land Use
Designation to the “Low Density Commercial” Land Use
Designation; and for other purposes. **(Advertised for a Public Hearing**
9/23/02)

NPU-M

Council District 2

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN
RESOURCES AND ZONING COMMITTEES WITHOUT
OBJECTION

02-O-1596 (16) An Ordinance by **Community Development/Human**
CDP-02-20 **Resources Committee** to amend the Land Use Element of the
City of Atlanta 2003 Comprehensive Development Plan (CDP) so as
to re-designate property that is located at **922-940 Memorial**
Drive, SE, from the “Industrial Land Use Designation to the “Low-
Density Commercial” Land Use Designation; and for other
purposes. **(Advertised for a Public Hearing 9/23/02)**

NPU-W

Council District 5

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN
RESOURCES AND ZONING COMMITTEES 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-1597 (17) An Ordinance by **Community Development/Human**
CDP-02-21 **Resources Committee** to amend the Land Use Element of the
City of Atlanta 2003 Comprehensive Development Plan (CDP) so as
to re-designate property that is located at **519-573 Western**
Avenue, NW, from the “Medium Density Residential and Low
Density Commercial” Land Use Designations to the “Mixed-Use”
Land Use Designation; and for other purposes. **(Advertised for a**
Public Hearing 9/23/02)

NPU-L

Council District 3

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN
RESOURCES COMMITTEE WITHOUT OBJECTION

02-O-1598 (18) An Ordinance by **Community Development/Human**
CDP-02-22 **Resources Committee** to amend the Land Use Element of the
City of Atlanta 2003 Comprehensive Development Plan (CDP) so as
amended by modifying the Land Use Policy Statements for the
following NPU(s) B, D, F, G, K, N & X and, replacing the 2002 CDP
Land Use Policy Statements for the aforementioned NPU(s) with
said Statements; and for other purposes. **(Advertised for a Public**
Hearing 9/23/02)

NPU's: B, D, F, G, K, N & X - Council Districts 3, 6, 7, 9 & 12

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN
RESOURCES COMMITTEE WITHOUT OBJECTION

02-O-1599 (19) An Ordinance by **Community Development/Human**
CDP-02-23 **Resources Committee** to amend the Land Use Element of the
City of Atlanta 2003 Comprehensive Development Plan (CDP) so as
to re-designate property within NPU-N from the “Low Density
Commercial” Land Use Designation to the “Low-
Density Residential” Land Use Designation; and for other
purposes. **(Advertised for a Public Hearing 9/23/02)**

NPU-N

Council District 6

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-1600 (20) An Ordinance by **Community Development/Human**
CDP-02-24 **Resources Committee** to amend the Land Use Element of the
City of Atlanta 2003 Comprehensive Development Plan (CDP) so as
to re-designate property within NPU-N from the "Low Density
Residential" Land Use Designation to the "Open Space" Land Use
Designation; and for other purposes. **(Advertised for a Public Hearing**
9/23/02)

NPU-N

Council District 6

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN
RESOURCES COMMITTEE WITHOUT OBJECTION

02-O-1601 (21) An Ordinance by **Community Development/Human**
CDP-02-25 **Resources Committee** to amend the Land Use Element of the
City of Atlanta 2003 Comprehensive Development Plan (CDP) so as
to re-designate property within NPU-N from the "Industrial" Land
Use Designation to the "Mixed-Use" Land Use Designation; and for
other purposes. **(Advertised for a Public Hearing 9/23/02)**

NPU-N

Council District 6

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN
RESOURCES COMMITTEE WITHOUT OBJECTION

02-O-1602 (22) An Ordinance by **Community Development/Human**
CDP-02-26 **Resources Committee** to amend the Land Use Element of the
City of Atlanta 2003 Comprehensive Development Plan (CDP) so as
to re-designate property within NPU-N from the "Low Density
Commercial" Land Use Designation to the "Mixed-Use" Land Use
Designation; and for other purposes. **(Advertised for a Public Hearing**
9/23/02)

NPU-N

Council District 6

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-1611 (23)
CDP-02-28

An Ordinance by **Community Development/Human Resources Committee** to amend the Land Use Element of the City of Atlanta 2003 Comprehensive Development Plan (CDP) so as to re-designate property that is located at **1366 Memorial Drive, SE**, from the "Single-Family" Land Use Designation to the "Low Density Commercial" Land Use Designation; and for other purposes.

NPU-O

Council District 5

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES AND ZONING COMMITTEES WITHOUT OBJECTION

02-O-1612 (24)
CDP-02-27

An Ordinance by Community Development/Human Resources Committee to amend the Land Use Element of the City of Atlanta 2003 Comprehensive Development Plan (CDP) so as to re-designate property that is located at **2230 Cascade Road, SW**, from the "Single-Family" Land Use Designation to the "Low Density Commercial" Land Use Designation; and for other purposes.

NPU-R

Council District 11

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES AND ZONING COMMITTEES 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-1562 (25) An Ordinance by **Transportation Committee** to amend the 2002 (2000 Airport Revenue Bond Fund) Budget by transferring to and from appropriations the amount of \$1,145,632.00 for the purposes of funding an Intergovernmental Agreement with the Clayton County Georgia Water Authority for the relocation of the existing water main and water meter that is needed due to the required demolition of the Sullivan Road Bridge; and for other purposes.

REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION

02-O-1575 (26) An Ordinance by **Transportation Committee** authorizing the Mayor or her designee to install a Stop Sign at the following intersection: Rockport Place, SW at Oakside Drive.

REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION

02-O-1576 (27) An Ordinance by **Transportation Committee** authorizing the Mayor or her designee to install No Right Turn on Red Signs on Northside Drive, NW at Moores Mill Road.

REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION

FINANCE/EXECUTIVE COMMITTEE

FELICIA A. MOORE, CHAIR

02-O-1545 (28) An Ordinance by **Finance/Executive Committee** amending the 2002 (1994 G. O. Referendum Bond Fund and 1996 and 1997 G. O. Public Improvement Bond Fund) Budgets in the amount of \$1,044,676.11 for the purpose of funding the Grant Park Erosion and Flood Control Phase II Improvements Projects within the Flood and Erosion Control Category of the 1994 Public Improvement Program on behalf of the Department of Parks, Recreation and Cultural Affairs; 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-1556 (29) An Ordinance by **Finance/Executive Committee** to amend the 2002 (Airport Renewal & Extension Fund) Budget by transferring to and from appropriations the amount of \$6,500,000.00, for the purposes of funding a Change Order No. 2 to Airport Contract FC-7241-00, 5th Runway Trunk Drainage and Sewers with Thalle Construction/Artis Group JV, a Joint Venture that shall be charged to and paid from Fund, Account and Center Number 2H21 574001 R21E05069999; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

COMMITTEE REPORTS

Council President Cathy Woolard Presided

COMMITTEE REPORTS

CITY UTILITIES COMMITTEE (1)

CLAIR MULLER, CHAIR

Attendance at the September 10, 2002 meeting of the City Utilities Committee was as follows:

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

Absent: None

ORDINANCES FOR SECOND READING

02-O-0268 (1) An Ordinance by **Councilmember Debi Starnes as Substituted by City Utilities Committee** to change the name of Linden Avenue, between Piedmont Avenue and the I-75/85 Connector, to James A. Kaufmann Avenue; and for other purposes. **(Public Hearing held 3/26/02)**
FILED SUBSTITUTE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Pro-Tem Cleta Winslow Presided

02-O-1261 (2) An Ordinance by **Councilmembers Debi Starnes, Felicia A. Moore, Ivory Lee Young, Jr., Mary Norwood, Carla Smith, Ceasar C. Mitchell and Clair Muller** to amend Code Section 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. **(Work session held 9/4/02)**

The above item was forwarded from committee with a File recommendation. However, Councilmember Starnes was recognized and made a Substitute Motion to Refer 02-O-1261 back to the City Utilities Committee. It was Seconded by Councilmember Muller and the Motion to Refer CARRIED by a roll call vote of 13 yeas; 0 nays.

REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

CITY UTILITIES COMMITTEE (2)
CLAIR MULLER, CHAIR

ITEMS REMOVED FROM CONSENT AGENDA

02-O-1591 (1) 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.

The above item was removed from the Consent Agenda by request of Councilmember Moore. A discussion ensued, after which, the Motion to Adopt CARRIED by a roll call vote of 11 yeas; 3 nays.

ADOPTED BY A ROLL CALL VOTE OF 11 YEAS; 3 NAYS

02-O-1592 (2) An Ordinance by **Councilmember Clair Muller** amending the 2002 (2001 Water and Wastewater Bond Construction Fund) Budget in the amount of \$2,812,850.00 for a Water Quality and Water Quantity Long-Term Monitoring Network; to install water monitoring equipment; and for other purposes.

The above item was removed from the Consent Agenda by request of Councilmember Moore. A discussion ensued, after which, the Motion to Adopt CARRIED by a roll call vote of 13 yeas; 0 nays.

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

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

CITY UTILITIES COMMITTEE (3)
CLAIR MULLER, CHAIR

ITEMS REMOVED FROM CONSENT AGENDA (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 \$907,636.00; all contracted work shall be charged to and paid from Fund, Account and Center Number: 2J01 524001 Q21001.

The above item was removed from the Consent Agenda by request of Councilmember Moore. An extensive discussion ensued, in which, Councilmember Boazman made a Motion to Refer 02-R-1589 back to the City Utilities Committee. It was properly Seconded and another discussion ensued, during which, Councilmember Young Called the Question. The Motion of the Question was CARRIED by Voice Vote. Subsequently, the Motion to Refer the item back to the City Utilities Committee CARRIED by a roll call vote of 10 yeas; 3 nays. Later during the meeting, Councilmember Winslow made a Motion to Reconsider 02-R-1589. It was properly Seconded and the Motion CARRIED by a roll call vote of 11 yeas; 2 nays. The resolution was before the Council. Following, Councilmember Muller made a Motion to enter Executive Session. It was Seconded by Councilmember Winslow and a brief discussion ensued, in which, The Motion to enter Executive Session CARRIED by a roll call vote of 11 yeas; 2 nays. Council entered Executive Session.

Returning from Executive Session, Council President Pro-Temp Cleta Winslow explained the reason for entering Executive Session was due to potential litigation. After which, an extensive discussion ensued, in which, Councilmember Boazman made a Motion to Refer the resolution back to the City Utilities Committee. It was properly Seconded and another discussion ensued, in which, Councilmember Bozman made a Motion to enter into Committee of the Whole. It was properly Seconded and the Motion CARRIED by a roll call vote of 12 yeas; 1 nay.

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

CITY UTILITIES COMMITTEE (4)
CLAIR MULLER, CHAIR

ITEMS REMOVED FROM CONSENT AGENDA (CONT'D)

02-R-1589 (3)
(Cont'd)

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 \$907,636.00; all contracted work shall be charged to and paid from Fund, Account and Center Number: 2J01 524001 Q21001.

COMMITTEE OF THE WHOLE

In Committee of the Whole, an extensive discussion ensued by participation of Councilmembers Boazman, Winslow, Shook and Moore including responses from Remedios K. del Rosario, Commissioner of Water; Felicia Strong-Whitaker, Director of the Bureau of Purchasing and Real Estate; and Rick Anderson, Chief Financial Officer. Following, Councilmember Young made a Motion to exit Committee of the Whole, the Motion was CARRIED by Voice Vote. Council then entered back into Regular Session.

REGULAR ORDER OF BUSINESS

During Regular Session, A discussion ensued, in which, Councilmember Young Called the Question. The Motion of the Question was then CARRIED by Voice Vote. Subsequently, the Motion to Refer 02-R-1589 back to the City Utilities Committee CARRIED by a roll call vote of 12 yeas; 1 nay.

REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 1 NAY

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

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

Attendance at the September 10, 2002 meeting of the Community Development/Human Resources Committee was as follows:

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

Absent: Councilmember Norwood

ORDINANCES FOR SECOND READING

The following items (02-O-1381 and 02-O-1382) were taken as a collective vote.

02-O-1381 (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 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

ADOPTED BY A ROLL CALL VOTE OF 8 YEAS; 0 NAYS

02-O-1382 (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 June 27, 2002.

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

ADOPTED BY A ROLL CALL VOTE OF 8 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)

The following items (02-O-1383 and 02-O-1384) were taken as a collective vote.

02-O-1383 (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 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, SE	03

ADOPTED BY A ROLL CALL VOTE OF 9 YEAS; 0 NAYS

02-O-1384 (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 June 27, 2002.

215 Adair Avenue, SE	01
1996 Hollywood Road, NW	09
2182 Pryor Road, SW	12
946 Wylie Street, SE	05

ADOPTED BY A ROLL CALL VOTE OF 9 YEAS; 0 NAYS

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

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

ITEMS REMOVED FROM CONSENT AGENDA

02-R-1540 (1) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor or her 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 additional construction services for Adamsville Recreation Center on behalf of the Department of Parks, Recreation and Cultural Affairs in an amount not to exceed \$106,351.02; all contracted work shall be charged to and paid from Fund, Account and Center Numbers; 1B01 571001 N12D11D3A51A and 1B01 529002 N12D11D3A52A.

The above item was removed from the Consent Agenda by request of Councilmember Winslow. Ms. Winslow offered an Amendment which added the money amounts in the legislation. It was properly Seconded and CARRIED by a roll call vote of 9 yeas; 0 nays. Subsequently, the Motion to Adopt as Amended CARRIED by a roll call vote of 8 yeas; 1 nay.

ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 8 YEAS; 1 NAY

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

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

ITEMS REMOVED FROM CONSENT AGENDA (CONT'D)

02-R-1542 (2) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor or her 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 perform assessment of buried degradable waste material and methane gas at D. L. Stanton Park on behalf of the Department of Parks, Recreation and Cultural Affairs in an amount not to exceed \$3,300.00; all contracted work shall be charged to and paid from Fund, Account and Center Number: 1B01 573001 N12D1652A201; and for other purposes.

The above item was removed from the Consent Agenda by request of Councilmember Winslow. Ms. Winslow offered an Amendment which corrects the Center Numbers. It was properly Seconded and the Winslow Amendment CARRIED by a roll call vote of 11 yeas; 0 nays. Subsequently, the Motion to Adopt as Amended CARRIED by a roll call vote of 10 yeas; 0 nays.

**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 10 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 September 10, 2002 meeting of the Public Safety and Legal Administration Committee was as follows:

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

Absent: None

ORDINANCE FOR SECOND READING

02-O-1368 (1) A **Substitute** Ordinance by **Public Safety and Legal Administration Committee** authorizing the Chief Judge of the Municipal Court and 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 Account No. 1A01 524001 S11001; and for other purposes.

The above item was forwarded from committee with No Recommendation. Councilmember Mitchell, as prerogative as Chair, made a Motion To Table. It was properly Seconded and the Motion CARRIED by a roll call vote of 11 yeas; 1 nay.

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

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (1)
H. LAMAR WILLIS, CHAIR

Note: Due to the September 11 commencement, the Transportation Committee held its meeting on September 10, 2002 at 12 noon.

Attendance at the September 10, 2002 meeting of the Transportation Committee was as follows:

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

Absent: None

ORDINANCES FOR SECOND READING

- 02-O-1034 (1) An Ordinance by **Councilmember C. T. Martin as Amended by Transportation Committee** authorizing the Mayor or her designee to install an All-Way Stop sign at the intersection of South Gordon Street, SW and Rogers Avenue, SW; and for other purposes. **(Amended and Held 6/12/02)**
FILED AS AMENDED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 02-O-1490 (2) 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.
ADOPTED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 02-O-1459 (3) An Ordinance by **Councilmember Clair Muller** to install All-Way-Stop Signs at the intersection of Wesley Parkway and Margaret Mitchell Drive. **(Held 8/28/02)**
ADOPTED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS
- 02-O-1466 (4) An Ordinance by **Councilmember Anne Fauver** to amend Chapter 150, Article IV, Division 1, Section 150-99 of the Code of Ordinances of the City of Atlanta, Georgia, so as to prohibit a vehicle operator from stopping, standing or parking a motor vehicle on any sidewalk or other pedestrian access route adjacent to the public right-of-way; to repeal 02-O-0853; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (1)
DEBI STARNES, CHAIR

Attendance at the September 11, 2002 meeting of the Zoning Committee was as follows:

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

Absent: Councilmembers Young and Norwood

ORDINANCES FOR FIRST READING

02-O-1603 (1) An Ordinance by **Zoning Committee** to rezone from the R-3
Z-02-60 (Single-Family Residential) District to the PD-H (Planned
Development-Housing) District, property located at **1889 Wells
Drive, SW**, fronting 395 Feet on the west side of Wells Drive
beginning at the northwest corner of Campbellton Road.

Depth: Varies
Area: 5.6 Acres
Land Lot: 199, 14th District, Fulton County, Georgia
Owner: Raymont Walker
Applicant: James Frederic Singleton d/b/a JFS, Inc.
NPU-R Council District 11

**REFERRED TO ZONING REVIEW BOARD AND ZONING
COMMITTEE WITHOUT OBJECTION**

02-O-1604 (2) An Ordinance by **Zoning Committee** to amend Ordinance Z-
Z-02-61/ 01-28, adopted by City Council September 4, 2001 and
Z-01-28 approved by Operation of Law September 13, 2001, rezoning from
the I-1 (Light Industrial) District to the C-2-C (Commercial Service
Conditional) District, property located at **949 and 961
Confederate Avenue, SE and 655 Mead Street, SE**, for the
purpose of approving a Site Plan Amendment. Owner: Mead
Street City Homes, LLC; Applicant: Jolly Development
Corporation, Inc.

NPU-W Council District 1

**REFERRED TO ZONING REVIEW BOARD AND ZONING
COMMITTEE WITHOUT OBJECTION**

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (2)
DEBI STARNES, CHAIR

ORDINANCES FOR FIRST READING (CONT'D)

02-O-1605 (3)
Z-02-62 An Ordinance by **Zoning Committee** rezoning from the R-3 (Single-Family Residential) District to the PD-H (Planned Development-Housing) District, property located at **1900 Delowe Place, SW**, fronting 60 feet on the northwesterly side of Delowe Place beginning 875.7 feet northwesterly, westerly and southwesterly from the northwest corner of Delowe Drive.

Depth: Varies
Area: 1.91 Acres
Land Lot: 186, 14th District, Fulton County, Georgia
Owner: Mark C. Major
Applicant: Fred Kinney and Lawrence A. Martin, P.E.
NPU-R Council District 11

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

02-O-1606 (4)
Z-02-63 An Ordinance by **Zoning Committee** rezoning from the R-5 (Two-Family Residential) District to the RG-3 (Residential General-Sector 3) District, property located at **513 Boulevard, SE**, fronting 49.94 feet on the west side of Boulevard beginning 150 feet south from the southwest corner of Sydney Street.

Depth: 190.43 Feet
Area: 0.217 Acre
Land Lot: 44, 14th District, Fulton County, Georgia
Owner: Alvin Morris
Applicant: Same
NPU-W Council District 1

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (3)
DEBI STARNES, CHAIR

ORDINANCES FOR FIRST READING (CONT'D)

02-O-1607 (5) An Ordinance by **Zoning Committee** to rezone property as
Z-02-64 follows:

Tract 1: From I-1 (Light Industrial) District to RG-3 (Residential General-Sector 3) District, property located at **661 Meldrum Street, NW**, fronting 100 feet on the north side of Meldrum Street beginning at the northwest corner of Elm Street.

Depth: 288.24 Feet
Area: 0.66 Acres

Tracts 2 and 3 (Combined): From I-1 (Light Industrial) District to RG-3 (Residential General-Sector 3) District, property located at **516 Elm Street, NW**, fronting 100 feet on the south side of Meldrum Street beginning at the southwest corner of Elm Street.

Depth: 293.14 Feet
Area: 0.67 Acre

Tract 4: From R-5 (Two-Family Residential) District to RG-3 (Residential General-Sector 3) District, property located at **511 Elm Street, NW**, fronting 100.33 feet on the south side of Meldrum Street beginning at the southeast corner of Elm Street.

Depth: 291.51 Feet
Area: 0.67 Acre
Land Lot: 111, 14th District, Fulton County, Georgia
Owner: Bethursday Development Corporation
Applicant: Same
By: Sharon A. Gay, Attorney
NPU-L Council District 3

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (4)
DEBI STARNES, CHAIR

ORDINANCES FOR FIRST READING (CONT'D)

02-O-1608 (6)
Z-02-65 An Ordinance by **Zoning Committee** to rezone from the RG-3 (Residential General-Sector 3) District to the MR-2 (Multi-Family Residential-Sub District 2) District, MR-3 (Multi-Family Residential-Sub District 3) Districts and MRC-1 (Mixed Residential Commercial-Sub District 1) District, property located at 920 Sells Avenue, SW, fronting 849.88 feet on the south side of Sells Avenue beginning at the southeast corner of Peeples Street.

Depth: 720.48 Feet
Area: 14.2605 Acres
Land Lot: 117, 14th District, Fulton County, Georgia
Owner: The Housing Authority of the City of Atlanta
Applicant: Roderick W. Teachey
NPU-T Council District 4

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

02-O-1609 (7)
U-02-23/
U-98-29 An Ordinance by **Zoning Committee** to amend Ordinance U-98-29, adopted by City Council January 19, 1999 and approved by Operation of Law January 27, 1999, granting a Special Use Permit for a Rehabilitation Center, property located at 150 Moore Street, SE and 276 Decatur Street, SE, for the purpose of approving a Change of Conditions.

Owner: Chapel of Christian Love, Inc.
Applicant: Community Concerns, Inc.
NPU-M Council District 2

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (5)
DEBI STARNES, CHAIR

ORDINANCES FOR FIRST READING (CONT'D)

02-O-1610 (8) An Ordinance by **Zoning Committee** to amend Ordinance U-
U-02-24/ 80-70, adopted by City Council March 16, 1981 and
U-80-70 by the Mayor March 21, 1981, granting a Special Use Permit for
 Parking for Church, property located at 2435 Cascade Road, SW,
 for the purpose of approving a Site Plan Amendment.

Owner: Hillside Chapel and Truth Center, Inc.
Applicant: Michael O. Ndukuba
NPU-I Council District 11

**REFERRED TO ZONING REVIEW BOARD AND ZONING
COMMITTEE WITHOUT OBJECTION**

ORDINANCES FOR SECOND READING

The following items (1 - 3) were taken as a collective vote.

02-O-1269 (1) An Ordinance by **Zoning Committee** to rezone from the I-2
Z-02-54 (Heavy Industrial) District to the O-I (Office-Institutional) District,
 property located at **854, 856, 856 (Rear), 874, 878, 882, 886
Ernest Street, N.W.**, fronting approximately 380 feet on the
 Southside of Ernest Street beginning 382.34 feet West from the
 Southwest corner of West Lane. Depth: varies; Area: 1.699 acres;
 Land Lot 150, 17th District, Fulton County, Georgia. Owner: The
 Howard School, Inc. Et. Al.; Applicant: The Howard School, Inc.;
 By: Nathan V. Hendricks, III Esq. Attorney; NPU-D Council
 District 9.

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

02-O-0880 (2) An Ordinance by **Zoning Committee** for a Special Use Permit for
U-02-14 a church, for property located at **2387 Summit Avenue, N.W.**,
 fronting 204 feet on the Northwesterly side of Summit Avenue,
 beginning 23. 48 feet from the Northeast corner of First Street and
 Summit Avenue. Depth: varies; Area: 1.02 acres; Land Lot 248 of
 the 17th District, Fulton County, Georgia. Owner: Memorial
 Church-Of-God In Christ; Applicant: Jim R. Mattox; NPU-G
 Council District 9.

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

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (6)
DEBI STARNES, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

02-O-1271 (3)
U-02-17

An Ordinance by **Zoning Committee** granting a Special Use Permit for a rehabilitation center (Section 16-06.005 (1) (g), property located at **1301 Monroe Drive, N.E./678 Courtenay Drive, N.E./690 Courtenay Drive, N.E.**, fronting approximately 383.87 feet on the Northwesterly side of Courtenay Drive beginning 173.6 feet Southwesterly from the Northwest corner of Middlesex Drive. Property also fronts approximately 405 feet on the East side of Monroe Drive. Property also fronts 25 feet and 55 feet on the Northside of Amsterdam Avenue. Depth: varies; Area: 13.2502 acres; Land Lot 52, 17th District, Fulton County, Georgia; Owner: Hillside, Inc.; Applicant: same; By: Carl E. Westmoreland, Jr., Esq., Attorney; NPU-F Council District 6.
ADOPTED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

02-O-0869 (4)
Z-02-29

An Ordinance by **Zoning Committee** to rezone from the I-2 (Heavy Industrial) District, to the PD-MU (Planned Development-Mixed Use) District, property located at **810 Lake Avenue, N.E.**, fronting 696.02 feet on the Southwesterly side of North Highland Avenue beginning approximately 646.2 feet from the Southwest corner of North Highland Avenue and Elizabeth Street. Property also having frontage of approximately 904.08 on the Northwesterly side of Lake Avenue. Depth: varies; Area: approximately 20.98 acres; Land Lot 19 of the 14th District, Fulton County, Georgia. Owner: The Mead Corporation; Applicant: WP South Acquisitions, L.L.C.; By: Nathan V. Hendricks, III; NPU-N Council District 2.
ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (7)

DEBI STARNES, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

02-O-0875 (5)
Z-02-37

An Ordinance by **Zoning Committee** to rezone from the I-1-C (Light Industrial-Conditional) District to LW-C (Live Work-Conditional) District property located at **1258-1278 DeKalb Avenue** and I-1-C (Light Industrial-Conditional) District to R-5 (Single-Family Residential) District, Part of 1278 DeKalb Avenue, N.E. fronting 382.5 feet on the Northerly side of DeKalb Avenue beginning at the Northwesterly corner of Candler Street and DeKalb Avenue. Depth: varies; Area: 2.18 acres; Land Lot 209 of the 15th District, DeKalb County, Georgia. Owner: G & K Services, Co.; Applicant: Gregory Wohl; By: Sharon A. Gay; NPU-N Council District 6.

The above item was forwarded from committee with a Favorable on Substitute as Amended recommendation. Councilmember Fauver was recognized and offered an Amendment to require the developer to seek variance for egress to development from DeKalb Avenue in lieu of Candler Street. Council deferred 02-O-0875 in order for Councilmember Fauver to write the Amendment. After the Amendment was in writing, It was sounded and properly Seconded. A discussion ensued, in which, Councilmember Boazman Called the Question. The Motion of the Question was then CARRIED by Voice Vote. Following, the Fauver Amendment CARRIED and FAILED by a roll call vote of 3 yeas; 10 nays. Thereafter, the original Motion to Adopt on Substitute as Amended CARRIED by a roll call vote of 13 yeas; 0 nays.

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

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (8)

DEBI STARNES, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

The following items (6 – 8) were taken as a collective vote.

02-O-0829 (6) An Ordinance by **Councilmember Debi Starnes** to amend
Z-02-15/Z-81-41 Ordinance Z-81-41, as amended, adopted by City Council
December 7, 1981 and approved by operation of law December 15,
1981 rezoning from the R-6 (Residential) District to the A-1-C
(Apartment-Conditional) Now RG-3-C (Residential General-Sector
3-Conditional) District, property located at **1126-1128-1130-
1136-1146-1156-1166 Ponce De Leon Avenue, N.E.**, for the
purpose of approving a revised site plan for a portion of said
property, specifically 1136-1146 Ponce De Leon Avenue, N.E.;
Owner: Glen Chouinard; Applicant: David Green; NPU-F Council
District 6.

FILED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

02-O-1266 (7) An Ordinance by **Zoning Committee** to rezone from the R-3
Z-02-38 (Single-Family Residential) District to the PD-H (Planned
Development-Housing) District, property located at **Willis Mill
Road, S.W.**, fronting approximately 250 feet on the Easterly side
of Willis Mill Road beginning 2,622.4 feet Southeasterly from the
Southeast corner of Wilson Drive. Depth: varies; Area:
approximately 7.5 acres; Land Lot 200, 14th District, Fulton
County, Georgia. Owner: Ronald L. Smith; Applicant: William E.
Wilson; NPU-R Council District 11.

FILED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

02-O-0113 (8) An Ordinance by **Zoning Committee** granting a Special Use
U-01-56 Permit for a Scrap Metal Processor (Recycling Facility) (Section 16-
17.005 (1) (c), property located at 1211-1215 Sylvan Road, S. W.,
fronting 600.15 feet on the West side of Sylvan Road beginning at
the Southwest corner of Avon Avenue. Depth: varies: Area: 6.547
acres; Land Lot 120, 14th District, Fulton County, Georgia.
Owner: Byron Kopman; Applicant: Metal Asset Acquisition LLC;
By: Carl E. Westmoreland, Jr.; NPU-X Council District 12.

FILED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

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

Attendance at the September 11, 2002 meeting of the Finance/Executive Committee was as follows:

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

Absent: Councilmembers Martin and Norwood

REPORT

02-RT-1617 (1) Report of the **Chief Financial Officer** to transfer appropriations from one line item to another line item in various funds as approved under Section 6-304(b) of the Charter of the City of Atlanta.

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

ORDINANCES FOR SECOND READING

02-O-1449 (1) A Reorganization Charter Amendment by **Councilmember Jim Maddox** to amend the Charter of the City of Atlanta to effect reorganization of the Executive Branch pursuant to Section 3-302 of the Charter of the City of Atlanta, Georgia (1996 Georgia Laws pp.4469, et seq., as amended), adopted under and by virtue of the Municipal Home Rule Act of 1965, O.C.G.A. § 36-35-1, et seq., so as to delete Appendix IV in its entirety for the purpose of transferring the provisions thereof to the Code of Ordinances; to amend Article Six, Chapter Four, Section 6-402 to substitute "Chief Procurement Officer" for "Director of Bureau of Purchasing and Real Estate," to repeal conflicting ordinances; and for other purposes. (Work Session held 9/5/02) **FAVORABLE - 2ND READING, 1ST ADOPTION**

REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS FOR 3RD READING/FINAL ADOPTION

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

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

ORDINANCES FOR SECOND READING (CONT'D)

02-O-1451 (2) An Ordinance by **Councilmember Jim Maddox 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 support the 2002 Reorganization of the Executive Branch; and for other purposes. **(Work Session held 9/5/02)**

The above item was forwarded from committee with a Favorable recommendation. Chair Moore, however, offered a Substitute. It was properly Seconded and the Motion to bring forth the Substitute CARRIED by a roll call vote of 13 yeas; 0 nays. The Substitute was before the Council. Councilmember Moore then made a Motion to Adopt on Substitute. It was properly Seconded and a brief discussion ensued. Following, the Motion to Adopt on Substitute CARRIED by a roll call vote of 11 yeas; 1 nay.

ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 11 YEAS; 1 NAY

02-O-1499 (3) A **Substitute** Ordinance by **Finance/Executive Committee** to amend the FY2002 (Special Revenue Fund) Budget for Traffic Court Operations by transferring the amount of \$7,880,240.00 from the Reserve, designated Account-Lease/Purchase New Traffic Court Facility to appropriate additional funds for the purpose of funding certain programs for Traffic Court Operations; and for other purposes.

The recommendation from committee on the above item was Favorable on Substitute. However, Chairperson Moore made a Substitute Motion to Refer 02-O-1499 back to the Finance/Executive Committee. It was properly Seconded and the Motion CARRIED by a roll call vote of 12 yeas; 0 nays.

REFERRED SUBSTITUTE TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

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

RESOLUTION

02-R-1485 (1) A Resolution by **Finance/Executive Committee** authorizing the Mayor or designee to enter into an appropriate contractual agreement with Kemi Construction Company, Inc. for FC-7477-02, Annual Contract for Installation of Small Water Meters with Backflow Prevention Devices on behalf of the Department of Water in an amount not to exceed \$5,000,000.00. Said contract shall be based on unit prices. All contracted work shall be charged to and paid from Fund, Account and Center Numbers: 2J26 574001 Q24J09059999 and 2J21 574001 Q27J08039999.

The above item was forwarded from committee with a Favorable recommendation. Chairperson Moore offered a Substitute to 02-R-1485. It was properly Seconded and the Motion to bring forth the Substitute CARRIED by a roll call vote of 11 yeas; 1 nay. The Substitute was before the Council. Councilmember Moore then made a Motion to Adopt on Substitute. It was properly Seconded and the Motion CARRIED by a roll call vote of 8 yeas; 4 nays.

ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 8 YEAS; 4 NAYS

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (1)

ANNE FAUVER, CHAIR

Attendance at the September 16, 2002 meeting of the Committee on Council was as follows:

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

Absent: Councilmembers Boazman and Norwood

COMMUNICATIONS

02-C-1578 (1) A Communication by **Mayor Shirley Franklin** nominating Mr. Jack E. Ravan to serve as Commissioner of Watershed Management. **(Favorable by City Utilities Committee, 9/10/02)**
CONFIRMED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

02-C-1405 (2) A Communication by **Mayor Shirley Franklin** reappointing Mr. Walter Branch 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. **(Forward With No Recommendation by Community Development/Human Resources Committee, 8/27/02) (Held 9/3/02)**
CONFIRMED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

ORDINANCES FOR SECOND 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 Fulton County Department of Registration and Elections acting as its agent for the purpose of conducting said election; and for other purposes.

The above item was forwarded from committee with a Favorable recommendation. Chairperson Fauver offered an Amendment to add the cost not to exceed \$1, 500.00. It was properly Seconded and the Fauver Amendment CARRIED by a roll call vote of 11 yeas; 0 nays. After which, the Motion to Adopt as Amended CARRIED by a roll call vote of 11 yeas; 0 nays.

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

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (2)
ANNE FAUVER, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

02-O-1580 (2) An Ordinance by **Councilmembers Natalyn Archibong, Clair Muller, H. Lamar Willis, Debi Starnes, Carla Smith, Anne Fauver, Ceasar Mitchell and Mary Norwood** 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.
ADOPTED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

RESOLUTION

02-R-1614 (1) A Resolution by **Transportation Committee** correcting Resolution Number 02-R-0208, hereby authorizing the Mayor to enter into an appropriate contractual agreement with AGL Services Company, rather than Atlanta Gas Light Resources, on behalf of the Department of Aviation for the abandonment and relocation of a Natural Gas High Pressure Transmission Main necessitated by the construction of the Fifth Runway Project at Hartsfield Atlanta International Airport, in an amount not to exceed \$1,500,000.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2H27 574001 R21E050693CG; and for other purposes. **(Favorable by Transportation Committee 9/10/02)**
ADOPTED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

PERSONAL PAPERS

Council President Cathy Woolard Presided

PERSONAL PAPERS

RESOLUTIONS/ADOPTED

02-R-1631 (1) A Resolution by **Councilmember Debi Starnes** to authorize Southeast Capital Partners and their development team to replace the City of Atlanta water main on Baker Street that feeds the Museum Tower and the larger Centennial Park Area. The City of Atlanta will reimburse Southeast Capital Partners for the cost.

Councilmember Starnes made a Motion to adopt the above item. 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

02-R-1635 (2) A Resolution by **Councilmember Natalyn Mosby Archibong** authorizing the Mayor or her designee to execute and deliver to Fulton County, Georgia an Estoppel Letter concerning that certain property located at 410 Flat Shoals Road, S.E. and an outstanding water services bill incurred by a tenant of the property in order to facilitate a land swap with the County and the construction of the East Atlanta Library; and for other purposes.

Councilmember Archibong made a Motion to Adopt the above item. It was properly Seconded and a discussion ensued. Following which, the Motion to Adopt CARRIED by a roll call vote of 11 yeas; 0 nays.

ADOPTED BY A ROLL CALL VOTE OF 11 YEAS; ONAYS

02-R-1637 (3) A Resolution by **Councilmember Felicia A. Moore** authorizing the Mayor to execute a retainer agreement with the law firms of Kilpatrick Stockton LLP and George Howell & Associates to serve as bond counsel to the City of Atlanta in connection with the issuance of certain General Obligation Bonds for the Years 2002 and 2003, with an option to renew for an additional two year term; to authorize the Chief Financial Officer to pay fees and costs for legal services rendered pursuant to said agreement; to rescind conflicting resolutions; and for other purposes.

Councilmember Moore made a Motion to adopt the above item. It was properly Seconded and the Motion CARRIED by a roll call vote of 11 yeas; 1 nay.

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

Council President Cathy Woolard Presided

PERSONAL PAPERS (CONT'D)

RESOLUTIONS/ADOPTED (CONT'D)

02-R-1638 (4) A Resolution by **Councilmember Felicia A. Moore** providing for: (1) the call of a public meeting of the Council of the City of Atlanta, at which there will be considered and acted upon certain proposed ordinances which, if adopted and approved, will authorize the City of Atlanta to issue \$8,000,000 in aggregate principal amount of various purpose General Obligation Bonds pursuant to the provisions of certain constitutional amendments; (2) publication of notice to the public of the call and holding of such meeting; and (3) for other purposes.

Councilmember Moore made a Motion to adopt the above item. It was properly Seconded and the Motion CARRIED by a roll call vote of 11 yeas; 1 nay.

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

RESOLUTIONS/REFERRED

02-R-1626 (1) A Resolution by **Councilmembers Derrick Boazman and Carla Smith** authorizing the Mayor or her designee to enter into a lease agreement with the Fulton County Library Board to re-locate the Carver Homes library branch to the John Birdine Neighborhood Facility; to accept leasehold improvements in lieu of rent; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

02-R-1628 (2) A Resolution by **Councilmembers C. T. Martin and Cleta Winslow** requesting that the Mayor or her designee provide notice to Councilmembers when construction and building permits are issued in their district; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

02-R-1633 (3) A Resolution by **Councilmembers H. Lamar Willis and Derrick Boazman** granting approval to the Metropolitan Atlanta Rapid Transit Authority to enter into a lease financing for the "South Line" from the airport to Five Points Station, including track leading to the South Yard; 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-1627 (1) An Ordinance by **Councilmembers Cleta Winslow, Felicia Moore and Jim Maddox** providing for the issuance of \$8,000,000 an aggregate principal amount of City of Atlanta General Obligation Bonds for various purposes, pursuant to and in accordance with amendments to the constitution of the State of Georgia ratified at the General Election held on November 5, 1968, and proclaimed by the Governor of the State of Georgia on December 13, 1968 (1968 Ga. Laws 1582 to 1584, inclusive).
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 02-O-1629 (2) An Ordinance by **Councilmember Cleta Winslow** amending the 2002 Water and Sewer Revenue Fund Budget in the amount of \$700,000.00 to provide funding for the transfer of fifteen positions from the Sanitary Services Revenue Fund to the Water and Sewer Fund; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 02-O-1630 (3) An Ordinance by **Councilmember Debi Starnes** to ask the State of Georgia to adequately fund the production of supportive housing, needed by the chronically mentally ill citizens, who live in Georgia.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 02-O-1632 (4) An Ordinance by **Councilmembers Ceasar C. Mitchell and H. L. Willis** authorizing the Mayor or her designee to pave the unpaved portion of Cahaba Drive, SW once a survey has been done and funding identified; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION
- 02-O-1634 (5) An Ordinance by **Councilmember Natalyn Archibong** amending Sections 2-2046 through 2-2059 of the Code of Ordinances entitled "Community Relations Commission" by repealing these sections; 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-1636 (6) An Ordinance by **Councilmembers Felicia A. Moore and H. L. Willis** amending the 2002 (Community Development Fund) Budget by transferring \$200,000.00 from CD-645, Homeownership Assistance Program and \$63,000.00 from CD-07, Housing Rehabilitation Administration to fund CD-610, Housing/Demolition/Reclamation; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

ADJOURNMENT

Council President Cathy Woolard Presided

ADJOURNMENT

There being no further business to discuss the September 16, 2002 meeting of the Atlanta City Council was adjourned at 2:56 p.m.

ADJOURNMENT ROLL CALL: Council President Cathy Woolard (1); Councilmembers Smith, Starnes, Young, Winslow, Archibong, Fauver, Shook, Muller, Moore, Maddox, Boazman, Mitchell, and Willis (13); Councilmember Martin was excused (1).