

ATLANTA CITY COUNCIL

ACTION/MINUTES

JUNE 16, 2003

The Atlanta City Council held its Regularly Scheduled Meeting on Monday, June 16, 2003. The Meeting convened at 1:08 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 Clair Muller, Acting Council President Pro-Temp** presided a portion of the meeting.

Attendance:

The following (13) voting members were present at the Meeting:

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

Councilmembers Archibong and Maddox were absent.

INVOCATION: **Reverend Thomas E. Houston, Director** 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 **June 02, 2003** 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 **June 16, 2003** meeting was **ADOPTED** without objection.

COMMUNICATIONS

Council President Cathy Woolard Presided

COMMUNICATIONS

03-C-0948 (1) A Communication by Municipal Clerk **Rhonda Dauphin Johnson** submitting the Administrative Corrections to previously adopted legislation during the time period occurrence between the regular Council meeting dates of June 02, 2003 and June 16, 2003 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

NONE

UNFINISHED BUSINESS

Council President Cathy Woolard Presided

UNFINISHED BUSINESS

03-C-0488 (1) A Communication by **Mayor Shirley Franklin** appointing **Ms. Deirdre Macnab** to serve as a member of the Atlanta Fulton County Library Board for the City of Atlanta. This appointment is as the Mayor's designee and as such is concurrent with the Mayor's term, and is scheduled to begin on the date of Council confirmation. **(Favorable by Finance/Executive Committee, 4/2/03)**

Councilmember Boazman made a Motion to remove 03-C-0488 from the Table. It was properly Seconded and the Motion CARRIED by a roll call vote of 12 yeas; 0 nays. Following, Councilmember Boazman made a Motion to File. Properly Seconded, the Motion CARRIED by a roll call vote of 12 yeas; 0 nays.

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

02-O-1986 (2) A **Substitute** Ordinance by **Zoning Committee** to rezone from the I-1 (Light Industrial) and I-2 (Heavy Industrial) Districts to the PD-H (Planned Development-Housing) District, property located at **2142 James Jackson Parkway, N.W.** fronting approximately 1400 feet on the Southwesterly side of James Jackson Parkway beginning approximately 150 feet North from the Northwest corner of Bolton Road. Depth: varies; Area: 75.3 acres; Land Lots 255, 256, 263 & 264, 17th District, Fulton County, Georgia. Owner: General Shale Products, LLC; Applicant: BHC Property Group; By: Sharon A. Gay; NPU-D Council District 9.

Z-02-76

Councilmember Moore made a Motion for 02-O-1986 continue to lay on the Table. Without Objection, the Motion CARRIED.

TABLED SUBSTITUTE WITHOUT OBJECTION

02-O-1259 (3) An Ordinance by **Councilmembers Cleta Winslow and Ivory Lee Young, Jr. as Amended by Transportation Committee** authorizing the Mayor or her designee to install a Traffic Signal at the intersection of Fair Street, SW at Walker Street; and for other purposes.

Councilmember Willis made a Motion to remove the above item from the Table. It was properly Seconded and the Motion CARRIED by a roll call vote of 11 yeas; 0 nays. Mr. Willis then made a Motion to Refer 02-O-1259 back to the Transportation Committee. It was properly Seconded and the Motion CARRIED by a roll call vote of 11 yeas; 0 nays.

REFERRED AS AMENDED TO TRANSPORTATION COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

Council President Cathy Woolard Presided

UNFINISHED BUSINESS (CONT'D)

03-R-0766 (4) A Resolution by **Councilmember Debi Starnes as Amended by Community Development/Human Resources Committee** authorizing the Mayor, on behalf of the City of Atlanta, to enter into a contractual agreement with the Atlanta Neighborhood Development Partnership, Incorporated to incorporate a nonprofit corporation to serve as the City of Atlanta Renewal Community's Coordinating Responsible Authority and as Administrator of the City of Atlanta's remaining Title XX Funds; and to enter into a contractual agreement with the nonprofit corporation to designate the nonprofit corporation as the Coordinating Responsible Authority and to transfer administration of the City of Atlanta's remaining Title XX Funds; and for other purposes. **(Work Sessions held 5/20/03 and 5/29/03)**

At the Regularly Scheduled meeting of June 02, 2003, the above item was Adopted as Amended by a roll call vote of 12 yeas; 3 nays. However, Councilmember Boazman served notice to Reconsider 03-R-0766 during the Council next Regularly Scheduled Meeting of June 16, 2003. During this meeting, Councilmember Boazman made a Motion to Reconsider. It was seconded by Councilmember Moore. Following, Councilmember Starnes was recognized and Called the Question which was properly Seconded. Immediately, thereafter, withdrew her Motion and likewise the Second was withdrawn. A discussion ensued, during which, Councilmember Starnes Called the Question. It was properly Seconded and the Motion CARRIED by a roll call vote of 9 yeas; 4 nays. Subsequently, the Motion to Reconsider was CARRIED and FAILED by a roll call vote of 4 yeas; 9 nays. Therefore, the Adoption of June 02, 2003 prevails.

NOTICE TO RECONSIDER FAILED DUE TO THE LACK OF A MAJORITY VOTE BY A ROLL CALL VOTE OF 4 YEAS; 9 NAYS. CONSEQUENTLY, THE ADOPTION OF JUNE 02, 2003 BY A ROLL CALL VOTE OF 12 YEAS; 3 NAYS PREVAILS.

**CONSENT AGENDA
SECTION I**

Council President Cathy Woolard Presided

The Consent Agenda was originally CARRIED by a roll call vote of 11 yeas; 0 nays. However, Councilmember Winslow made a Motion to Reconsider the Consent Agenda and the Motion CARRIED by a roll call vote of 9 yeas; 0 nays. The Consent Agenda was then before the Council. Councilmember Winslow removed 03-O-0669 and the Motion to Adopt the Consent Agenda was CARRIED by a roll call vote of 10 yeas; 0 nays.

CONSENT AGENDA

There was no separate discussion of the following items with the exception of items 03-R-0929, 03-O-0693, 03-O-0913, 03-O-0668 and 03-O-0669 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: **10 Yeas:** *Councilmembers Smith, Starnes, Young, Winslow, Fauver, Muller, Martin, Boazman, Mitchell and Willis* **0 Nays.**

SECTION I

ORDINANCES FOR SECOND READING

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

- 03-O-0906 (1) An Ordinance by **Councilmembers Cesar C. Mitchell and Ivory Lee Young, Jr.** authorizing automobile expense reimbursement for specified grant funded positions within the Department of Planning and Development; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS

Council President Cathy Woolard Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

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

03-O-0913 (2) An Ordinance by **Councilmembers Anne Fauver, Carla Smith, Natalyn Archibong and Cleta Winslow** to waive the provisions of Chapter 10, Article II, Section 10-209 (c) and (d) of the Code of Ordinances of the City of Atlanta, Georgia so as to modify the hours of operation on June 30, 2003 only, for all licensed establishments authorized to sell alcoholic beverages for on premises consumption; and for other purposes.

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

SEE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE REPORT

FINANCE/EXECUTIVE COMMITTEE
FELICIA A. MOORE, CHAIR

03-O-0693 (3) A **Substitute** Ordinance by **Finance/Executive Committee** to amend Section 146-26 (b), (c), (d), (e) and (f) of the Code of Ordinances of the City of Atlanta so as to change the ad valorem tax rate of real and personal property for the general levy, debt levy, city parks levy, school operating levy, school debt levy and the special tax district levy; to provide that the tax rates established herein shall remain fixed each year until amended or repealed; to repeal conflicting laws; and for other purposes.

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

SEE FINANCE/EXECUTIVE COMMITTEE REPORT

03-O-0911 (4) An Ordinance by **Councilmembers Anne Fauver and Cleta Winslow as Amended by Finance/Executive Committee** to authorize the creation of certain classifications to assist in monitoring festivals and events permitted or sponsored by the City of Atlanta to insure conservancy, security, safety and compliance with permit conditions; and for other purposes.

ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS

Council President Cathy Woolard Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

TRANSPORTATION COMMITTEE

H. LAMAR WILLIS, CHAIR

- 03-O-0905 (5) An Ordinance by **Councilmember H. Lamar Willis** authorizing the Mayor or her designee to enter into an amendment to the March 16, 2000 Intergovernmental Agreement between the City of College Park, a Georgia Municipal Corporation, the College Park Business and Industrial Development Authority, a body politic by special amendment to the Constitution of the State of Georgia and the City of Atlanta, a Municipal Corporation; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS**

CITY UTILITIES COMMITTEE

CLAIR MULLER, CHAIR

- 03-O-0764 (6) An Ordinance by **Councilmember Clair Muller as Substituted by City Utilities Committee** to amend Chapter 74 of the Code of Ordinances of the City of Atlanta to explicitly prohibit illicit discharges and illegal connections to the storm sewer system of the City of Atlanta; and for other purposes.
**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE
OF 10 YEAS; 0 NAYS**
- 03-O-0914 (7) An Ordinance by **Councilmember Felicia A. Moore** to amend Section 130-1 of the Code of Ordinances by updating several definitions and adding two (2) new definitions; and for other purposes.
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS**

Council President Cathy Woolard Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE
DEBI STARNES, CHAIR

03-O-0667 (8)
CDP-03-11 An Ordinance by **Councilmember Cleta Winslow as Substituted 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 located at **785, 795, 801, 809 and 851 Lee Street, SW and 821 and 825 Beecher Street, SW**, from the "Industrial" "Mixed-Use" and "Low Density Residential" Land Use Designation to the "Low Density Commercial" Land Use Designations; and for other purposes. **(CDP Public Hearing held 6/9/03)**

NPU-T

Council District 4

ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS

03-O-0668 (9)
CDP-03-13 An Ordinance by **Councilmember Cleta Winslow as Substituted 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 located at **976, 986, 992 and 1000 Oakland Drive, SW**, from the "Low Density Residential" Land Use Designation to the "Low Density Commercial" Land Use Designation; and for other purposes. **(CDP Public Hearing held 6/9/03)**

NPU-S

Council District 4

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)

ORDINANCES FOR SECOND READING (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (CONT'D)
DEBI STARNES, CHAIR

03-O-0669 (10) An Ordinance by **Councilmember Cleta Winslow as**
CDP-03-12 **Substituted 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 located at **1060 Oakland Drive, SW**, from the
“Low Density Residential” Land Use Designation to the “Low
Density Commercial” Land Use Designation; and for other
purposes. (CDP Public Hearing held 6/9/03)

NPU-S

Council District 4

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

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

03-O-0671 (11) An Ordinance by **Councilmember Debi Starnes** to correct the
CDP-03-09 2003 Comprehensive Development Plan so as to remedy a
typographical error in Table 20-3, Land Use Classification System
and Table 20-4, Relationships between Land Use Designations
and Zoning Classifications. (CDP Public Hearing held 6/9/03)
**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS**

03-O-0839 (12) An Ordinance by **Councilmember Natalyn Archibong as**
CDP-03-14 **Substituted 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 certain **properties located within the Kirkwood**
Neighborhood of Atlanta; and for other purposes. (CDP Public
Hearing held 6/9/03)

NPU-O

Council District 5

**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE
OF 10 YEAS; 0 NAYS**

Council President Cathy Woolard Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (CONT'D)
DEBI STARNES, CHAIR

03-O-0908 (13) An Ordinance by **Councilmember Cleta Winslow** amending the 2003 (Job Training Grant Fund) Budget by anticipating and appropriating \$1,773,605.00 in the Workforce Investment Act (WIA) Youth Funds; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS

03-O-0910 (14) An Ordinance by **Councilmembers Anne Fauver and Cleta Winslow as Substituted by Community Development/Human Resources Committee** amending Chapter 138, Outdoor Festivals, of the Code of Ordinances, Article VI, Division 2, Section 138-205, Fees, (Permit Fee) Subsection D, specifically to establish a Subsection D-3 of this Code Section for the purpose of accepting permit fees for special events, so as to off-set expenses incurred to pay for a Festival Monitoring Program at Outdoor Festivals and for Special Events to be staffed by City of Atlanta employees and managed by the Department of Parks, Recreation and Cultural Affairs; to create Trust Account Numbers for the purpose of paying the salaries of Festival Monitors/Supervisors; to pay for purchase of supplies, non-consumable/consumable and equipment; that Program Fees will be deposited into Trust Account Numbers 3P02 444110 N11S06119999 and expended from Trust Account Numbers 3P02 51**** N11S06119999, 3P02 52**** N11S06119999 and 57**** N11S06119999 on behalf of the Department of Parks, Recreation and Cultural Affairs; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS

03-O-0912 (15) An Ordinance by **Councilmember Anne Fauver** to establish an off-leash pet area for dogs within a specified location of Piedmont Park; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS

Council President Cathy Woolard Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS

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

- 03-R-0851 (1) A **Substitute** Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor to apply for and accept funding from the Department of Justice Office of Justice Programs for the continuation of the Weed and Seed Program in Atlanta.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS
- 03-R-0853 (2) A **Substitute** Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor to apply for and accept funding from the Office of the Governor's Children and Youth Coordinating Council for the continuation of the Weed and Seed Intensive Surveillance Officers Program.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS
- 03-R-0854 (3) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor to apply for Official Weed and Seed Status for the Vine City Community from the Department of Justice Office of Justice Programs for the expansion of the Weed and Seed Program in Atlanta.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS
- 03-R-0922 (4) A Resolution by **Public Safety and Legal Administration Committee** authorizing settlement of all claims of Jeffery Coast against the City of Atlanta in the case of Jeffery Coast v. Gregory L. Isaac, Officer Isaiah Oliver Solomon and the City of Atlanta, Case Number SU02CV2776, in the Superior Court of Muscogee County; to cause payment to be made in the amount of \$2,000.00; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 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

03-R-0927 (5) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor to accept a \$1,000.00 Office Depot Certificate from the Atlanta Midtown Rotary Club, on behalf of the Police Zone Five Midtown Mini Precinct, which will be used by the Mini Precinct to purchase mission essential computer supplies.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS

03-R-0928 (6) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor or her designee to accept the donation of tables and umbrellas from Central Atlanta Progress; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS

FINANCE/EXECUTIVE COMMITTEE
FELICIA A. MOORE, CHAIR

03-R-0891 (7) A Resolution by **Finance/Executive Committee** authorizing the Chief Procurement Officer to utilize the State of Georgia Contract GTA 000022 with Oracle Corporation for the purchase of four (4) Renewal Software Licenses on behalf of the Department of Aviation, in an amount not to exceed \$199,061.76. All contracted work shall be charged to and paid from Fund, Account and Center Number 2H01 521106 R12006.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS

03-R-0894 (8) A Resolution by **Finance/Executive Committee** authorizing the Mayor to approve Renewal Agreement No. 1 with Forever Green Interiorscapes for FC-7356-01, Interior Landscaping Maintenance Services at Hartsfield Atlanta International Airport, on behalf of the Department of Aviation in an amount not to exceed \$94,416.00 annually. All contracted work shall be charged to and paid from Fund, Account and Center Number 2H21 523001 R21001.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 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

03-R-0921 (9) A **Substitute** Resolution by **Finance/Executive Committee as Amended** authorizing the Mayor or her designee to enter into an extension of the Agreement with CH2MHill, Inc./TOC, Inc. – JV for FC-6710-96A, Annual Contract for Architectural and Engineering Services, for an additional six (6) months of the annual contract. All contracted work shall be charged to and paid from various Fund, Accounts and Center Numbers.

ADOPTED SUBSTITUTE AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS

03-R-0929 (10) A Resolution by **Finance/Executive Committee** authorizing the Mayor to execute an appropriate contractual agreement with Casey Tree Experts, Inc., for FC-7416-02, approach clearance and landscape safety project, on behalf of the Department of Aviation to be paid in an amount not to exceed \$448,945.00; all contracted work shall be charged to and paid from Fund, Account and Center Numbers: 2H26 574001 R21E052096AA and 2H21 574001 R12E01259999.

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

SEE FINANCE/EXECUTIVE COMMITTEE REPORT

TRANSPORTATION COMMITTEE

H. LAMAR WILLIS, CHAIR

03-R-0890 (11) A Resolution by **Transportation Committee** authorizing the Mayor to execute an appropriate contractual agreement with Aviation Constructors, Inc. for FC-7547-02, North Airfield Lighting Vault Relocation-Demolition Project on behalf of the Department of Aviation in an amount not to exceed \$5,827,040.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2H27 574001 R21E010493CG.

ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 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

03-R-0893 (12) A Resolution by **Transportation Committee** authorizing the Mayor to issue a Notice to Proceed with DPC General Contractors, Inc. for FC-7511-02, Annual Contract for Citywide Asbestos Abatement, on behalf of the Department of Aviation in an amount not to exceed \$200,000.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2H26 571001 R21E052096AA.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS**

03-R-0895 (13) A Resolution by **Transportation Committee** authorizing the Mayor or her designee to enter into an appropriate contractual agreement with the Georgia Department of Transportation on behalf of the City of Atlanta for the design, exchange of properties, construction, operation and maintenance for work to be performed under City Project Number FC-7565-03 for the relocation of a portion of Sullivan Road in Clayton County, Georgia.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS**

03-R-0903 (14) A Resolution by **Councilmember H. Lamar Willis** authorizing the payment of Vanguard's preference demand pursuant to §547(b) of the United States Bankruptcy Code; authorizing the Chief Financial Officer to disburse an amount not to exceed \$16,000.00, to be charged to and paid from Fund, Account and Center: 2H01 529010 T31001; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS**

03-R-0938 (15) A Resolution by **Transportation Committee** authorizing the Mayor to sign four grant agreements with the Atlanta Regional Commission for the (1) Northside Drive, (2) the Martin L. King, Jr. Drive, (3) the Moreland Avenue and (4) the Ponce de Leon Avenue Corridor Study Projects; and for other purposes.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS**

Council President Cathy Woolard Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

CITY UTILITIES COMMITTEE
CLAIR MULLER, CHAIR

- 03-R-0848 (16) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into an Encroachment Agreement with Morehouse College or its designee(s) for the installation of private utility facilities crossing under Parsons Street in the City of Atlanta; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS
- 03-R-0849 (17) A Resolution by **City Utilities Committee** authorizing the Mayor or her designee to install a sewer connection to serve property located at 2345 Butner Road as requested by the property owner.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS
- 03-R-0892 (18) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into Renewal Agreement No. 2 with Roland Pugh Construction Company for FC-7062-99, Annual Contract for Sanitary Sewers, on behalf of the Department of Watershed Management in an amount not to exceed \$5,103,187.20. All contracted work shall be charged to and paid from Fund, Account and Center Number: 2J26 574001 M24I02239999.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS
- 03-R-0918 (19) A Resolution by **Councilmember Clair Muller as Substituted by City Utilities Committee** authorizing payment of stipulated penalties imposed by the Environmental Protection Agency (EPA) and the Environmental Protection Division of the Department of Natural Resources of the State of Georgia (EPD) in amount of \$8,500.00 as stipulated penalties for the violation of CSO Fecal Coliform Operational Standards at the Tanyard CSO Facility on June 6, 2003 pursuant to the CSO Consent Decree, Civil Action File No. 1:95-CV-2550-TWT; to identify the source of funding; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 10 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

- 03-R-0919 (20) A Resolution by **Councilmembers Clair Muller and Anne Fauver as Amended by City Utilities Committee** authorizing the Mayor or her designee to permit Midtown Alliance and selected construction company temporary use of the parcel of property at the end of Westminster Drive as a temporary staging area and to require the restoration of the site to its original condition following the completion of any construction work; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS
- 03-R-0923 (21) An **Amended** Resolution by **City Utilities Committee** accepting the recommendations of the Atlanta Solid Waste Advisory Commission ("A Solid Waste Management Action Plan for the City of Atlanta") and requesting that the Mayor or her designee investigate any recommendations of the Plan that will improve the Solid Waste Management Plan of the City of Atlanta; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS
- 03-R-0924 (22) An **Amended** Resolution by **City Utilities Committee** requesting the Mayor or her designee to renegotiate the Curbside Recycling Contract with DreamSan, Inc., to include more recyclable materials; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS

Council President Cathy Woolard Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE
DEBI STARNES, CHAIR

03-R-0897 (23) A **Substitute** Resolution by **Community Development/Human Resources Committee** authorizing the Mayor or her designee to approve a Notice to Proceed with CH2MHill, Inc./T.O.C., Inc. – JV for FC-6710-96A, Annual Contract for Architectural and Engineering Services for the Metropolitan Parkway Streetscape Phase One on behalf of the Department Planning and Community Development in an amount not to exceed \$39,750.00. All contracted work shall be charged to and paid from Fund, Account and Center Number: 1C28 574001 M23F03459985.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS

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

Claims with Favorable Recommendations:

03-R-0855 (1) Claim of **Sheldon M. and Barbara E. Kay**, for damages alleged to have been sustained due to a sanitary construction site that was left open and in an unsafe manner on November 5, 2002 at 77 Peachtree Place, NW.
\$1,112.02
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS

03-R-0856 (2) Claim of **Calvin Stephens and Tyson Renea Stephens**, for damages alleged to have been sustained as a result of an automobile accident on March 27, 2003 at 1120 North Avenue.
\$3,400.79
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS

03-R-0857 (3) Claim of **Minnie Patrick**, for damages alleged to have been sustained due to a sanitary construction site that was left open and in an unsafe manner on December 24, 2002 at 1305 Bolton Road, NW.
\$1,485.16
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS

Council President Cathy Woolard Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

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

Claims with Favorable Recommendations: (Cont'd)

- 03-R-0858 (4) Claim of **GEICO Direct as subrogee of Thea Tolbert**, for damages alleged to have been sustained as a result of an automobile accident on March 5, 2003 at 3850 Stone Road. **\$4,615.58**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS
- 03-R-0859 (5) Claim of **Stephanie Cain**, for damages alleged to have been sustained from an automobile accident on January 25, 2003 at Oakdale Road and McLendon Avenue. **\$733.86**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS
- 03-R-0860 (6) Claim of **USAA Casualty Insurance Company as subrogee of Barbara M. Goldman**, for damages alleged to have been sustained as a result of a vehicular accident on May 28, 2002 at 1088 North Avenue. **\$790.60**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS
- 03-R-0861 (7) Claim of **Craig V. Davis**, for damages alleged to have been sustained as a result of a deteriorated construction site that created a road hazard on February 9, 2003 at Piedmont Avenue NE and 14th Street, NE. **\$543.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS
- 03-R-0862 (8) Claim of **Courtney Chapman**, for damages alleged to have been sustained as a result of a deteriorated construction site that created a road hazard on February 11, 2003 at Piedmont Avenue NE and 14th Street, NE. **\$748.50**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS
- 03-R-0863 (9) Claim of **Katrinka Fram-Hadley**, for damages alleged to have been sustained as a result of a sanitary sewer construction site that was left open and in an unsafe manner on February 11, 2003 at 385 University Avenue, SW. **\$2,310.04**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS

Council President Cathy Woolard Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

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

Claims with Favorable Recommendations: (Cont'd)

03-R-0864 (10) Claim of **David Brown, through his attorney, Kenneth S. Nugent**, for damages alleged to have been sustained as a result of a vehicular accident on October 20, 2002, at Pryor Road and Thornton Street. **\$2,000.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS

03-R-0865 (11) Claim of **Frank Snelson**, for damages alleged to have been sustained due to a deteriorated construction site that created a road hazard on February 18, 2003 at Piedmont Avenue, NE and 14th Street, NE. **\$1,181.47**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS

Claims with Unfavorable Recommendations:

03-R-0866 (12) Claim of **Mr. & Mrs. James Caldwell, on behalf of their minor son, James Caldwell, Jr., deceased, through their attorney, Richard W. Hendrix**, for damages alleged to have been sustained as a result of the wrongful death of claimant's minor child due to a fall on November 26, 2000 at the Civic Center.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS

03-R-0867 (13) Claim of **Martin L. Shipton**, for damages alleged to have been sustained as a result of vehicular damage due to driving over a metal construction plate on September 18, 2002 at 942 Glen Arden Way, NE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS

03-R-0868 (14) Claim of **Jeff L. Handwork**, for damages alleged to have been sustained as a result of driving over a construction site that was left open and in an unsafe manner on January 22, 2001 at 333 West Peachtree Street, NE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 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)

- 03-R-0869 (15) Claim of **Theeda M. Mitchell**, for damages alleged to have been sustained as a result of an automobile accident resulting from a malfunctioning traffic light on December 16, 2002 at Fort Street and Edgewood Avenue.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS
- 03-R-0870 (16) Claim of **Holly Roseberry**, for damages alleged to have been sustained as a result of driving over an exposed BellSouth manhole on July 10, 2002 on Lower Wall Street, NE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS
- 03-R-0871 (17) Claim of **Grace Walker-Flowers, through her attorney, Eric Julian Aycox**, for damages alleged to have been sustained as a result of personal injuries due to a fall on October 12, 2002 at the Boisfeuillet Jones Atlanta Civic Center.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS
- 03-R-0872 (18) Claim of **Selma & Myron Schultz**, for damages alleged to have been sustained as a result of a sewer backup on December 10, 2002 at 635 Greystone Park, NE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS
- 03-R-0873 (19) Claim of **Earlene Hogan, through her attorney, Jack O. Morse, Esq.**, for damages alleged to have been sustained as a result of an automobile accident on July 17, 2002 at Glenwood Avenue, SE and Boulevard, SE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS
- 03-R-0874 (20) Claim of **André Heard, through his attorney, Shean D. Williams**, for damages alleged to have been sustained as a result of an assault on November 6, 2002 at the Pretrial Detention Center.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 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)

- 03-R-0875 (21) Claim of **Vicki L. McManus**, for damages alleged to have been sustained as a result of vehicular damage due to sewer overflow on September 12, 2002 at 111 West Paces Ferry Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS
- 03-R-0876 (22) Claim of **Marquitta Rogers, through her insurance carrier, Progressive**, for damages alleged to have been sustained as a result of a vehicular accident on May 12, 2002 at 659 Auburn Avenue.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS
- 03-R-0877 (23) Claim of **Lisa M. Kirschenman**, for damages alleged to have been sustained as a result of an automobile accident on December 8, 2002 at the intersection of 10th and Juniper Streets.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS
- 03-R-0878 (24) Claim of **Annie Bell Strozier and James Strozier, as next friends of Lovett Strozier, deceased; and Tevis Strozier, through their attorney, Peter J. Ross**, for damages alleged to have been sustained as a result of a vehicular accident on October 26, 2002 at Dill and Murphy Avenues.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS
- 03-R-0879 (25) Claim of **Erica M. Phillips**, for damages alleged to have been sustained as a result of striking a damaged curb on March 8, 2003 at 1760 E. Clifton Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS
- 03-R-0880 (26) Claim of **Sherry L. Hammond**, for damages alleged to have been sustained as a result of a city employee operating a weed eater on April 18, 2003 at 400 Park Drive.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 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)

- 03-R-0881 (27) Claim of **Robert L. Kushner Jr.**, for damages alleged to have been sustained as a result of vehicular damage caused by a rock from a Public Works vehicle on March 26, 2003 at 4920 Roswell Road, NE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS
- 03-R-0882 (28) Claim of **Delisha Carter**, for damages alleged to have been sustained as a result of striking a herbie curbie that had been left in the street on March 25, 2003 at 55 Candler Road.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS
- 03-R-0883 (29) Claim of **Vesta Holdings, I, LLC, as agent for Heartwood II, Inc., through its attorney, Robert J. Proctor**, for damages alleged to have been sustained as a result of the wrongful demolition of structures located at 691 South Evelyn Place, NW on October 30, 2000.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS
- 03-R-0884 (30) Claim of **Ebony Anderson, through her attorney, C. Elizabeth Belmont**, for damages alleged to have been sustained as a result of her personal items not being returned when she was transferred to Federal custody on November 3, 2000 at the Pretrial Detention Center.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS
- 03-R-0885 (31) Claim of **Billie Jo**, for damages alleged to have been sustained as a result of vehicular damage due to a fallen tree limb on October 26, 2002 at 980 St. Charles Avenue, NE.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 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)

03-R-0886 (32) Claim of **Earlene Hogan, through her attorney, Jack O. Morse, Esq.**, for damages alleged to have been sustained as a result of an automobile accident on July 17, 2002 at Glenwood Avenue, SE and Boulevard, SE.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS**

03-R-0887 (33) Claim of **Nationwide Mortgage Services, Inc., through its attorney, Joseph D. Buccellato**, for damages alleged to have been sustained as a result of the wrongfully placing of an In-Rem lien on its property at 2000 Perry Boulevard on November 21, 2002.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS**

03-R-0888 (34) Claim of **Charles J. Eckstein**, for damages alleged to have been sustained as a result of driving over an exposed BellSouth manhole on July 10, 2002 on Lower Wall Street, NE.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 10 YEAS;
0 NAYS**

**CONSENT AGENDA
SECTION II**

Council President Cathy Woolard Presided

CONSENT AGENDA

SECTION II

ORDINANCES FOR FIRST READING

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

- 03-O-0852 (1) An Ordinance by **Public Safety and Legal Administration Committee** to amend the 2003 (Intergovernmental Grant Fund) Budget, Department of Police, Corrections and Planning, Development and Neighborhood Conservation by reconfiguring appropriation of the funds from the Comprehensive Homicide Initiative Grant to accommodate changed requirements for the grant funds since the inception of the grant; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

FINANCE/EXECUTIVE COMMITTEE
FELICIA A. MOORE, CHAIR

- 03-O-0850 (2) An Ordinance by **Finance/Executive Committee** amending the 2002 (Annual General Obligation Bond) Fund to transfer appropriations to the Municipal Arts Master Plan in the amount of \$58,881.56; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE
DEBI STARNES, CHAIR

- 03-O-0925 (3) An Ordinance by **Community Development/Human Resources Committee** transferring appropriations in the amount of \$15,258.00 from CD-34, Street and Sidewalk Assessment Program to CD-574, Harris House for the purpose of providing a portion of the needed funds to settle a claim for damages associated with the Harris House Renovation Project; and for other purposes.
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)
DEBI STARNES, CHAIR

- 03-O-0926 (4) An Ordinance by **Community Development/Human Resources Committee** authorizing the City to purchase for Fair Market Value the real property located at Lot 57, Enota Place at Sells Avenue, Atlanta, Georgia generally known as Enota Place Park, and authorizing the City Attorney or her designee to institute necessary legal action through condemnation to obtain Fee Simple Title to the real property located at Lot 57, Enota Place at Sells Avenue, Atlanta, Georgia, generally known as Enota Place Park, for public use as a public park, with the costs thereof to be charged to and paid from Fund, Account and Center No. 1C28 592001 T31X04519991; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

COMMITTEE REPORTS

Council President Cathy Woolard Presided

COMMITTEE REPORTS

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (1)

CEASAR C. MITCHELL, CHAIR

Attendance at the June 10, 2003 meeting of the Public Safety and Legal Administration Committee was as follows:

Present: Councilmembers Mitchell (Chair), Martin, Fauver, Norwood and Young

Absent: Councilmembers Willis and Winslow

ITEM REMOVED FROM CONSENT AGENDA

03-O-0913 (1) An Ordinance by **Councilmembers Anne Fauver, Carla Smith, Natalyn Archibong and Clea Winslow** to waive the provisions of Chapter 10, Article II, Section 10-209 (c) and (d) of the Code of Ordinances of the City of Atlanta, Georgia so as to modify the hours of operation on June 30, 2003 only, for all licensed establishments authorized to sell alcoholic beverages for on premises consumption; and for other purposes.

The above item was removed from the Consent Agenda by request of Councilmember Shook. A discussion ensued followed by the Call of the vote. The Motion to Adopt was then CARRIED by a roll call vote of 9 yeas; 3 nays.

ADOPTED BY A ROLL CALL VOTE OF 9 YEAS; 3 NAYS

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (1)

FELICIA A. MOORE, CHAIR

Attendance at the June 11, 2003 meeting of the Finance/Executive Committee was as follows:

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

Absent: None

RESOLUTIONS

03-R-0904 (1) A Resolution by **Councilmember H. Lamar Willis** approving the final terms of certain Airport General Revenue Refunding Bonds, Series 2003RF; authorizing the Mayor to enter into all Agreements necessary to confirm the final terms of Airport General Revenue Refunding Bonds, Series 2003RF; to be issued in one or more Series and to bear interest in a Fixed Variable or Auction Rate Mode, designated as any of the City's Airport General Revenue Refunding Bonds, Series 2003RF-A or the City's Variable Rate Airport General Revenue Refunding Bonds, Series 2003RF-B, Series 2003RF-C, Series 2003RF-D, Series 2003RF-E, or Series 2003RF-F, in the Aggregate Principal Account of \$_____, including Annual Principal Payments, Aggregate Principal Amount and Interest Rates Per Annum; approving certain related terms in connection with the issuance and sale of the foregoing described bonds; and for other purposes.

The above item was forwarded from committee with No Recommendation. Councilmember Moore, as prerogative as Chair, made a Motion to Table. It was properly Seconded and the Motion CARRIED by a roll call vote of 10 yeas; 0 nays. (A Special Called Meeting on June 19, 2003 will be held to act on Ordinance 03-R-0904).

TABLED BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (2)

FELICIA A. MOORE, CHAIR

RESOLUTIONS (CONT'D)

03-R-0907 (2)

A Resolution by **Councilmember Debi Starnes on Substitute as Amended by Finance/Executive Committee** authorizing the Mayor to execute a thirty (30) year Lease Agreement with the Downtown Development Authority (DDA) conveying a leasehold interest in the City of Atlanta facility known as the "Old Jail" located at 236 Peachtree Street for the purpose of creating a Homelessness Service Center; to provide for certain additional terms in said agreement; and for other purposes.

The item above was forwarded with a Favorable on Condition recommendation from committee. Chairperson Moore sounded the caption to 03-R-0907 and discussion ensued. During discussion, Councilmember Willis offered Amendment #1 to add "Be It Further Resolved that the Homelessness Commission shall agree to solicit contributions from the counties and municipalities of the metropolitan region directed toward the funding of the Atlanta Homeless Service Center on a pro-rata basis to be determined by a recognized public policy institute. (i.e. GA State, Univ. of GA., etc.)" "Be It Further Resolved that the Commission shall identify personnel to actively solicit these contributions." It was seconded by Councilmember Boazman and an extensive discussion ensued, during which, Councilmember Muller Called the Question. The Motion CARRIED by Voice Vote. Subsequently, Willis Amendment #1 FAILED by a roll call vote of 7 yeas; 4 nays. Following, Councilmember Starnes made a Motion to Adopt. It was properly Seconded and discussion continued, in which, Councilmember Willis offered Amendment #2 to add "Be It Further Resolved that the DDA be required to include as a clause to the lease that the DDA include a clause requiring the entity contracted with to solicit contributions from the counties and municipalities of the metropolitan region directed toward the funding of the Atlanta Homeless Service Center on a pro-rata basis to be determined by a recognized public policy institute (i.e. GA State, Univ. of GA., etc.)" "Be It Further Resolved that the contracted entity identify personnel to actively solicit these contributions." It was properly Seconded and discussion ensued followed by Councilmember Fauver offering a Friendly Amendment to "delete pro-rata basis." Mr. Willis did not accept the Friendly Amendment. A Call of the Question was then made by Councilmember Muller. The Motion was properly Seconded and CARRIED by Voice Vote. Willis

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (3)

FELICIA A. MOORE, CHAIR

RESOLUTIONS (CONT'D)

03-R-0907 (2)
(Cont'd)

A Resolution by **Councilmember Debi Starnes on Substitute as Amended by Finance/Executive Committee** authorizing the Mayor to execute a thirty (30) year Lease Agreement with the Downtown Development Authority (DDA) conveying a leasehold interest in the City of Atlanta facility known as the "Old Jail" located at 236 Peachtree Street for the purpose of creating a Homelessness Service Center; to provide for certain additional terms in said agreement; and for other purposes.

Amendment #2 was CARRIED by a roll call vote of 8 yeas; 4 nays. A discussion ensued, during which, Councilmember Boazman Called the Question. The Motion was properly Seconded and CARRIED by Voice Vote. Subsequently, the Motion to Adopt on Substitute as Amended CARRIED by a roll call vote of 12 yeas; 1 nay.

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

ITEMS REMOVED FROM CONSENT AGENDA

03-R-0929 (1)

A Resolution by **Finance/Executive Committee** authorizing the Mayor to execute an appropriate contractual agreement with Casey Tree Experts, Inc., for FC-7416-02, approach clearance and landscape safety project, on behalf of the Department of Aviation to be paid in an amount not to exceed \$448,945.00; all contracted work shall be charged to and paid from Fund, Account and Center Numbers: 2H26 574001 R21E052096AA and 2H21 574001 R12E01259999.

The above item was removed from the Consent Agenda by request of Councilmember Willis. Mr. Willis made a Motion to Refer 03-R-0929 back to the Finance/Executive Committee. It was Seconded by Councilmember Boazman and the Motion CARRIED by a roll call vote of 9 yeas; 0 nays.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 9 YEAS; 0 NAYS

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (4)

FELICIA A. MOORE, CHAIR

ITEMS REMOVED FROM CONSENT AGENDA (CONT'D)

03-O-0693 (2) A **Substitute** Ordinance by **Finance/Executive Committee** to amend Section 146-26 (b), (c), (d), (e) and (f) of the Code of Ordinances of the City of Atlanta so as to change the ad valorem tax rate of real and personal property for the general levy, debt levy, city parks levy, school operating levy, school debt levy and the special tax district levy; to provide that the tax rates established herein shall remain fixed each year until amended or repealed; to repeal conflicting laws; and for other purposes.

The above item was removed from the Consent Agenda by request of Councilmember Moore. Ms. Moore made a Motion to enter Committee of the Whole for the purpose of a public hearing for 03-O-0693. It was properly Seconded and the Motion CARRIED by a roll call vote of 10 yeas; 0 nays. Council then entered Committee of the Whole.

COMMITTEE OF THE WHOLE

In Committee of the Whole, Chief Financial Officer Richard Anderson summarized the tax levies. Following, the public hearing was declared open. One speaker from the public spoke (David Walker), the public hearing was then closed. Chair Moore made a Motion to exit Committee of the Whole. It was properly Seconded and the Motion CARRIED by a roll call vote of 10 yeas; 0 nays. Council reentered the Regular Session.

REGULAR SESSION

During Regular Session, Councilmember Moore made a Motion to Adopt. It was properly Seconded and an extensive discussion ensued. During discussion, Councilmember Moore was recognized and Called the Question. It was Seconded by Councilmember Boazman and CARRIED by Voice Vote. Subsequently, 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

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (1)

H. LAMAR WILLIS, CHAIR

Attendance at the June 11, 2003 meeting of the Transportation Committee was as follows:

Present: Councilmembers Willis (Chair), Moore, Martin, Mitchell, Boazman, Muller and Smith

Absent: None

The Standing Committee of Transportation did not have a report.

Acting Council President Pro-Temp Clair Muller Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (1)

IVORY LEE YOUNG, JR., CHAIR

Attendance at the June 11, 2003 meeting of the Zoning Committee was as follows:

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

Absent: Councilmember Norwood

ORDINANCE FOR SECOND READING

03-O-0787 (1) An Ordinance by **Zoning Committee** to grant a Certificate
MRPA-03-01 under the provisions of the Metropolitan River Protection Act for the construction of a single-family home, located at **2031 Garraux Road, NW**, 2.002 acres in Land Lot 235, 17th District, Fulton County, Georgia. (**Public Hearing held 6/11/03**)

Owner: Jim and Kristin Howard
Applicant: Jim and Kristin Howard
NPU-A Council District 8

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

ORDINANCES FOR FIRST READING

The following items (1 – 8) were taken as a collective vote.

03-O-0930 (1) An Ordinance by **Zoning Committee** to amend Ordinance Z-
Z-03-29/ 01-48, adopted by City Council October 15, 2001 and
Z-01-48 approved by Operation of Law October 24, 2001 rezoning from the RG-2-C (Residential General-Sector 2-Conditional) District to RG-3-C (Residential General Sector 3-Conditional) District, property located at **1734 New South Pryor Road, SW (a.k.a. 86 Pryor Road, SW)**, for the purpose of approving a Change of Conditions.

Owner: Park Place South
Applicant: Denis G. Pellerin
NPU-Y Council District 12

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS

Acting Council President Pro-Temp Clair Muller Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (2)

IVORY LEE YOUNG, JR., CHAIR

ORDINANCES FOR FIRST READING (CONT'D)

03-O-0931 (2)
Z-03-31 An Ordinance by **Zoning Committee** to rezone from the R-4 (Single-Family Residential) District to the R-4A (Single-Family Residential) District, property located at **55 Harlan Road, SW**, fronting 119.3 feet on the westerly side of Harlan Road beginning 317.58 feet south from the southwest corner of Martin Luther King, Jr. Drive.

Depth: 164 Feet
Area: 16,007 Square Feet
Land Lot: 212, 14th District, Fulton County, Georgia
Owner: Steven M. Cannon
Applicant: Tracy R. Queen
NPU-I Council District 10

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS

03-O-0932 (3)
Z-03-32 An Ordinance by **Zoning Committee** to rezone from the R-4A (Single-Family Residential) District to the C-1 (Community Business) District, property located at **2665 Smith Street, NW**, fronting 272.47 feet on the Southside of Smith Street beginning at the southeast corner of James Jackson Parkway.

Depth: 249.29 Feet
Area: 1.45 Acres Approximately
Land Lot: 252, 17th District, Fulton County, Georgia
Owner: Prakash K. Wadhwani
Applicant: Same
NPU-D Council District 9

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS

Acting Council President Pro-Temp Clair Muller Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (3)

IVORY LEE YOUNG, JR., CHAIR

ORDINANCES FOR FIRST READING (CONT'D)

03-O-0933(4)
Z-03-33 An Ordinance by Zoning Committee to rezone from the R-5 (Two-Family Residential) District to the RG-3 (Residential General-Sector 3) District, property located at **1067 Alta Avenue, NE**, fronting approximately 102.87 feet on the southwesterly side of Alta Avenue beginning at the southwest corner of Degress Avenue.

Depth: Varies
Area: 1.270 Acres
Land Lot: 14, 14th District, Fulton County, Georgia
Owner: White & Associates
Applicant: Cooper Pierce
NPU-N Council District 2

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS

03-O-0934 (5)
Z-03-34 An Ordinance by **Zoning Committee** to rezone from the I-1 (Light Industrial) District to the C-1 (Community Business) District, property located at **872-890 Memorial Drive, SE**, fronting 215.82 feet on the north side of Memorial Drive beginning at the northeast corner of Chester Avenue.

Depth: 335.13 Feet
Area: 1.816 Acres
Land Lot: 13, 14th District, Fulton County, Georgia
Owner: Jeff Notica
Applicant: David Green
NPU-N Council District 5

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS

Acting Council President Pro-Temp Clair Muller Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (4)

IVORY LEE YOUNG, JR., CHAIR

ORDINANCES FOR FIRST READING (CONT'D)

03-O-0935 (6) An Ordinance by **Zoning Committee** to rezone from the
Z-03-35 I-1 (Light Industrial) District to the C-1 (Community Business)
District, property located at **690 Paines Avenue, NW**, fronting
255.87 feet on the west side of Paines Avenue beginning at the
southwest corner of Wheeler Street.

Depth: 264.42 Feet
Area: 1.54 Acres
Land Lot: 112, 14TH, District, Fulton, County, Georgia
Owner: Steven W. Delonga
Applicant: Pratt Mattison
NPU-L Council District 3

**REFERRED TO ZONING REVIEW BOARD AND ZONING
COMMITTEE BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS**

03-O-0936(7) An Ordinance by **Zoning Committee** granting a Special Use
U-03-14 Permit for a Private Club (Section 16-06.005(1)(d), property located
at **3687 (a.k.a. 3693 and 3697) Ruby H. Harper Boulevard, SE,**
(f.k.a. Gilbert Road, SE), fronting 112 feet on the west side of
Ruby H. Harper Boulevard beginning 379.9 feet north from the
centerline of Poole Creek Road.

Depth: 538.1 Feet
Area: 60,267.2 Square Feet
Land Lot: 64, 14th District, Fulton County, Georgia
Owner: Igwebuike Social Club
Applicant: Same
NPU-Z Council District 12

**REFERRED TO ZONING REVIEW BOARD AND ZONING
COMMITTEE BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS**

Acting Council President Pro-Temp Clair Muller Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (5)

IVORY LEE YOUNG, JR., CHAIR

ORDINANCES FOR FIRST READING (CONT'D)

03-O-0937 (8) An Ordinance by **Zoning Committee** to amend the Sign Ordinance of the City of Atlanta so as to provide for a definite time period of thirty days in which to grant or deny an application for a Sign Permit; to provide that the requested sign can be posted if the application is not denied within that time period; to provide for a definite time period of sixty days in which an appeal of the denial of a Sign Permit must be decided; to provide that the requested sign can be posted if the appeal is not decided within that time; to remove any possible reference to content from the definition of Flags; to remove any possible reference to content from the definition of Public Art; to redefine the definition of a Changing Sign so as to exclude signs that change no more frequently than once every twenty-four hours; to allow changing signs in Industrial Districts; and for other purposes.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (1)
CARLA SMITH, CHAIR

Attendance at the June 16, 2003 meeting of the Committee on Council was as follows:

Present: Councilmembers Smith (Chair), Fauver, Shook, Mitchell and Norwood

Absent: Councilmembers Maddox and Archibong

COMMUNICATIONS

03-C-0899 (1) A Communication by **Michael Johnson** announcing the Ethics Board unanimous selection of Ms. Virginia Looney, to become the City's inaugural Ethics Officer.

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

03-C-0901 (2) A Communication by **Mayor Shirley Franklin** nominating Mr. David E. Scott, PE, as Commissioner of Public Works for the City of Atlanta. **(Favorable by City Utilities Committee 6/10/03)**

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

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

CITY UTILITIES COMMITTEE (1)

CLAIR MULLER, CHAIR

Attendance at the June 10, 2003 meeting of the City Utilities Committee was as follows:

Present: Councilmembers Muller (Chair), Maddox, Archibong, Smith, Shook and Young

Absent: Councilmember Winslow

ORDINANCE FOR SECOND READING

03-O-0916 (1) An Ordinance by **Councilmember Clair Muller** amending the 2003 (Water and Sewerage Revenue Fund) Budget in the amount of \$405,000.00 to pay for a rate study for the City of Atlanta's Water and Sewerage System; and for other purposes.

The above item was forwarded from committee with No Recommendation on Condition. Chairperson Muller stated the condition has been met and made a Motion to Adopt. It was properly Seconded and the Motion CARRIED by a roll call vote of 11 yeas; 0 nays.

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

RESOLUTIONS

03-R-0915 (1) A Resolution by **Councilmember Clair Muller** amending the Financial Advisor Services Contract with the Joint Venture of Dobbs, RAM & Company and Public Resources Advisory Group; authorizing the expenditure of an amount not to exceed \$405,000.00 under said contract to undertake a water and sewerage rate study to be charged to and paid from Fund, Account and Center: 2J01 524001 T31001; and for other purposes.

The above item was forwarded with No Recommendation on Condition from committee. Chairperson Muller stated the condition has been met and made a Motion to Adopt. Properly Seconded, the Motion CARRIED by a roll call vote of 10 yeas; 0 nays.

ADOPTED BY A ROLL CALL VOTE OF 10 YEAS; 0 NAYS

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

CITY UTILITIES COMMITTEE (2)

CLAIR MULLER, CHAIR

RESOLUTIONS (CONT'D)

03-R-0920 (2) A Resolution by **Councilmember Clair Muller** authorizing the Mayor or her designee to enter into an appropriate contractual agreement with _____ for FC-7575-03, Howell Mill Road Sidewalk Improvements on behalf of the Department of Public Works in an amount not to exceed \$____. All contracted work shall be charged to and paid from Fund, Account and Center Number: _____

The item above was forwarded from committee with No Recommendation on Condition. Councilmember Muller, as prerogative as Chair, made a Motion to Refer 03-R-0920 back to the City Utilities Committee. Without Objection, the Motion CARRIED by a roll call vote of 9 yeas; 0 nays.

REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 9 YEAS; 0 NAYS

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (1)
DEBI STARNES, CHAIR

Attendance at the June 10, 2003 meeting of the Community Development/Human Resources Committee was as follows:

Present: Councilmembers Starnes (Chair), Archibong, Norwood, Shook, Boazman and Fauver

Absent: Councilmember Norwood

ORDINANCE FOR SECOND READING

03-O-0602 (1) An Ordinance by **Community Development/Human Resources Committee** adopting the 2004 City of Atlanta Comprehensive Development Plan; and for other purposes. (Advertised for a Public Hearing 6/30/03) (2nd Reading, 1st Adoption)
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE FOR 3RD READING/FINAL ADOPTION BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

RESOLUTION

03-R-0697 (1) A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to submit to the U.S. Department of Housing and Urban Development an application under the Section 108 Loan Guarantee Program in an amount not to exceed \$4,500,000.00 for the Winecoff Hotel Rehabilitation and Redevelopment Project, an Economic Development Project located at the corner of Peachtree and Ellis Streets. (No Recommendation on Condition by CD/HR Committee, 4/29/03) (Referred back by Council 5/5/03) (Held 5/13/03 for a 30-day Public Review Period)

The above item was forwarded from committee with No Recommendation on Condition (receiving additional information on loans). Chairperson Starnes sounded the caption to 03-R-0697 and offered to bring forth a Substitute. It was properly Seconded and the Motion CARRIED by a roll call vote of 11 yeas; 0 nays. The Substitute was before Council. Councilmember Starnes then made a Motion to Adopt on Substitute and an extensive discussion ensued. Following, the Motion to Adopt on Substitute CARRIED by a roll call vote of 10 yeas; 2 nays.

ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 10 YEAS; 2 NAYS

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (2)
DEBI STARNES, CHAIR

ITEMS REMOVED FROM CONSENT AGENDA

The following items (03-O-0668 and 03-O-0669) were taken as a collective vote.

03-O-0668 (1)
CDP-03-13

An Ordinance by **Councilmember Clela Winslow as Substituted 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 located at **976, 986, 992 and 1000 Oakland Drive, SW**, from the “Low Density Residential” Land Use Designation to the “Low Density Commercial” Land Use Designation; and for other purposes. **(CDP Public Hearing held 6/9/03)**

NPU-S

Council District 4

The above item was removed from the Consent Agenda by request of Councilmember Winslow. Ms. Winslow made a Motion to Refer 03-O-0668 back to the Community Development/Human Resources Committee. It was properly Seconded and CARRIED by a roll call vote of 10 yeas; 0 nays.

REFERRED SUBSTITUTE TO COMMUNITY
DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL
CALL VOTE OF 10 YEAS; 0 NAYS

Council President Cathy Woolard Presided

COMMITTEE REPORTS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (3)
DEBI STARNES, CHAIR

ITEMS REMOVED FROM CONSENT AGENDA

03-O-0669 (2)
CDP-03-12

An Ordinance by **Councilmember Cleta Winslow as Substituted 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 located at **1060 Oakland Drive, SW**, from the "Low Density Residential" Land Use Designation to the "Low Density Commercial" Land Use Designation; and for other purposes. **(CDP Public Hearing held 6/9/03)**

NPU-S

Council District 4

The above item was removed from the Consent Agenda by request of Councilmember Winslow. Ms. Winslow made a Motion to Refer 03-O-0669 back to the Community Development/Human Resources Committee. It was properly Seconded and CARRIED by a roll call vote of 10 yeas; 0 nays.

REFERRED SUBSTITUTE TO COMMUNITY
DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL
CALL VOTE OF 10 YEAS; 0 NAYS

PERSONAL PAPERS

Council President Cathy Woolard Presided

PERSONAL PAPERS

RESOLUTIONS/ADOPTED

03-R-0958 (1) A Resolution by **Councilmembers Carla Smith, Ivory Lee Young, Jr., Mary Norwood, Ceasar C. Mitchell, Clair Muller, Anne Fauver, H. L. Willis, Howard Shook, Derrick Boazman and Cleta Winslow** in support of the joint effort of the Atlanta Convention and Visitors Bureau, The Hyatt Regency Atlanta and the Georgia Municipal Clerks and Finance Officers Association in its bid to host the International Institute of Municipal Clerks 62nd Annual Conference in Atlanta in the year 2008; and the extension of a warm welcome to Atlanta to all prospective delegates and guests.

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

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

03-R-0959 (2) A Resolution by **Councilmember Clair Muller** to encourage the Georgia Power Company and all other parties involved to lower the cost of the proposed Green Energy Tariff; to encourage the Georgia Power company to seek third party accreditation for the proposed Green Energy Tariff; and for other purposes.

Councilmember Muller made a Motion to Adopt the item above. It was properly Seconded and CARRIED by a roll call vote of 11 yeas; 0 nays.

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

03-R-0960 (3) A Resolution by **Councilmembers Debi Starnes and Clair Muller** stating the City Council's position regarding the millage rate set by the Atlanta Public School System which does not neutralize the tax re-appraisals for approximately 50% of the taxes due the Atlanta Public School System.

Councilmember Starnes made a Motion to Adopt 03-R-0960. It was properly Seconded and CARRIED by a roll call vote of 9 yeas; 2 nays.

ADOPTED BY A ROLL CALL VOTE OF 9 YEAS; 2 NAYS

Council President Cathy Woolard Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED

- 03-O-0949 (1) An Ordinance by **Councilmember Debi Starnes** transferring \$7,000.00 from Council District Two Councilmember expense account to the Office of Grants Management to provide travel funds for grantees; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 03-O-0950 (2) An Ordinance by **Councilmember C. T. Martin** to amend the 1962 Pension Act (Ga. L. 1962, p. 3140 et. seq.) applicable to members of the General Employees Pension Fund of the City of Atlanta, so as to reduce the age adjustment by one-half (1/2) of that contained in said Pension Act, for officers and employees who have not yet attained the age of 55 years, who have at least 25 years of service with the City of Atlanta, and who have been involuntarily separated to balance the City of Atlanta 2002 and 2003 Budgets and for reorganization of the workforce; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 03-O-0952 (3) An Ordinance by **Councilmembers Carla Smith and Debi Starnes** to impose a moratorium on permits for new construction, exterior rehabilitation and modifications to the exterior of existing structures, and the granting of any zoning change or variance for land, or structures located on land, currently zoned Industrial (I-1) or Light Industrial (I-2) in the Peoplestown Neighborhood (Peoplestown Redevelopment Area) for a period not to exceed six months; and for other purposes.
REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION
- 03-O-0953 (4) An Ordinance by **Councilmembers Carla Smith and Debi Starnes** authorizing the Mayor or her designee to rename Fulton Street, SE located between Connally Street, SE and Martin Street, SE in its entirety to Hammock Street, SE and to waive Section 138-8 Subparagraph (b) 4(a); and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

Council President Cathy Woolard Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

03-O-0954 (5) An Ordinance by **Councilmembers H. Lamar Willis and Debi Starnes** to amend Chapter 10, Article II, Division 5, Section 10-211 of the City of Atlanta Code of Ordinances to allow for the consumption of Alcoholic Beverages in Kenney's Alley and on certain designated portions of upper Alabama Street within Underground Atlanta; to provide that Underground Atlanta and those establishments located within Underground Atlanta which are licensed to sell Alcoholic Beverages be exempt from the provisions of City Code Section 10-126(a)(7) regarding special events; and for other purposes.

REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

03-O-0955 (6) An Ordinance by **Councilmembers Felicia A. Moore, Derrick Boazman, H. L. Willis, Ivory Lee Young, Jr., C. T. Martin and Debi Starnes** to immediately restore permanent status to rehired former United Water Services Atlanta (UWSA) employees who had city service prior to the Twenty-Year Operations and Maintenance Agreement between the City and UWSA, to waive the City of Atlanta Code of Ordinances, Section 114-326 and Section 114-327 for this instance only; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

03-O-0957 (7) An Ordinance by **Councilmember Clela Winslow** authorizing the Mayor to execute an Intergovernmental Agreement by and between the Housing Authority of the City of Atlanta, Georgia (The "Authority") and the City of Atlanta pertaining to the performance of certain public improvements by the authority for the benefit of the City of Atlanta; transferring appropriations in the amount of \$5,584,000 to fund a portion of said public improvements; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

03-O-0961 (8) An Ordinance by **Councilmember Debi Starnes** to approve the City of Atlanta's participation in a program to install bicycle racks in Downtown Atlanta; to authorize the Mayor or her designee the Commissioner of Public Works to enter into an agreement with the Downtown Atlanta Community Improvement District relating to such program; to waive conflicting ordinances; and for other purposes.

REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

Council President Cathy Woolard Presided

PERSONAL PAPERS (CONT'D)

RESOLUTIONS/REFERRED

03-R-0951 (1) A Resolution by **Councilmember Clair Muller** to authorize payment of stipulated penalties imposed by the Environmental Protection Agency (EPA) and the Environmental Protection Division of the Department of Natural Resources of the State of Georgia (EPD) pursuant to the CSO Consent Decree, Civil Action File No. 1:95-CV-2550-TWT; to identify the source of funding; and for other purposes.

REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

03-R-0956 (2) A Resolution by **Councilmembers Felicia A. Moore, Ceasar C. Mitchell, Mary Norwood and H. L. Willis** authorizing the establishment of the Perry/Bolton TAD Neighborhood Advisory Committee for the Perry/Bolton Tax Allocation District; establishing the composition of the committee; providing for meetings and activities of the committee; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

ADJOURNMENT

Council President Cathy Woolard Presided

ADJOURNMENT

There being no further business to discuss the June 16, 2003 meeting of the Atlanta City Council was adjourned at 5:29 p.m.

ADJOURNMENT ROLL CALL: Council President Cathy Woolard (1); Councilmembers Smith, Starnes, Young, Winslow, Fauver, Shook, Muller, Boazman, Mitchell, Norwood and Willis (11); Councilmember Moore was excused (1); Councilmember Martin did not record his vote (1).