

ATLANTA CITY COUNCIL

ACTION MINUTES

AUGUST 20, 2012

The Atlanta City Council held its Regularly Scheduled Meeting on Monday, August 20, 2012. The Meeting convened at 1:13 p.m. in Atlanta City Hall's Council Chamber. The roll was called and a quorum was declared.

PRESIDER(S): The Honorable Council President Ceasar C. Mitchell presided.

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

The Honorable Carla Smith	The Honorable Felicia A. Moore
The Honorable Kwanza Hall	The Honorable C. T. Martin *1:15
The Honorable Ivory Lee Young, Jr.	The Honorable Keisha Bottoms *1:58
The Honorable Clela Winslow *2:01	The Honorable Joyce M. Sheperd
The Honorable Alex Wan	The Honorable Michael J. Bond *1:15
The Honorable Howard Shook	The Honorable Aaron Watson
The Honorable Yolanda Adrean	The Honorable H. Lamar Willis *1:15

Councilmember Natalyn Mosby Archibong was Absent.

*** Indicates arrivals (with time noted) occurring after convening roll call.**

INVOCATION: Dr. Rabbi Peter S. Berg of The Temple 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: Rhonda Dauphin Johnson, Municipal Clerk, certified to the Council that the **Action/Minutes** of the **Atlanta City Council's July 16, 2012** Regular Meeting were true and correct. The Minutes were **FILED** without objection.

ADOPTION OF AGENDA: A Motion was made to **Adopt the Agenda**. It was properly Seconded and **CARRIED** by a roll call vote of **12 yeas**; (Councilmembers Smith, Young, Winslow, Wan, Shook, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis); **0 nays**.

COMMUNICATIONS

8/20/12 Action Minutes

Council President Caesar C. Mitchell Presided

COMMUNICATIONS

12-C-1041 (1) A Communication by **Mayor Kasim Reed** appointing Kevin T. O'Sullivan to serve as a member of the Office of Buildings Technical Advisory Committee on behalf of the City of Atlanta. This appointment is for a term of two (2) years, to begin upon receipt of appointment letter from the Mayor and execution and filing of the oath or affirmation required by Code.

FILED WITHOUT OBJECTION

12-C-1042 (2) A Communication by **Mayor Kasim Reed** appointing Charles E. Taylor to serve as a member of the Office of Buildings Technical Advisory Committee on behalf of the City of Atlanta. This appointment is for a term of two (2) years, to begin upon receipt of appointment letter from the Mayor and execution and filing of the oath or affirmation required by Code.

FILED WITHOUT OBJECTION

12-C-1043 (3) A Communication by **Mayor Kasim Reed** appointing R. Scott Taylor, Jr. to serve as a member of the Office of Buildings Technical Advisory Committee on behalf of the City of Atlanta. This appointment is for a term of two (2) years, to begin upon receipt of appointment letter from the Mayor and execution and filing of the oath or affirmation required by Code.

FILED WITHOUT OBJECTION

12-C-1044 (4) A Communication by **Mayor Kasim Reed** appointing Katherine Molyson to serve as a member of the Office of Buildings Technical Advisory Committee on behalf of the City of Atlanta. This appointment is for a term of two (2) years, to begin upon receipt of appointment letter from the Mayor and execution and filing of the oath or affirmation required by Code.

FILED WITHOUT OBJECTION

12-C-1045 (5) A Communication by **Mayor Kasim Reed** appointing Joseph G. Wilber to serve as a member of the Office of Buildings Technical Advisory Committee on behalf of the City of Atlanta. This appointment is for a term of two (2) years, to begin upon receipt of appointment letter from the Mayor and execution and filing of the oath or affirmation required by Code.

FILED WITHOUT OBJECTION

12-C-1046 (6) A Communication by **Mayor Kasim Reed** appointing Stephen Sott Selig to serve as a member of the Office of Buildings Technical Advisory Committee on behalf of the City of Atlanta. This appointment is for a term of two (2) years, to begin upon receipt of appointment letter from the Mayor and execution and filing of the oath or affirmation required by Code.

FILED WITHOUT OBJECTION

8/20/12 Action Minutes

Council President Ceasar C. Mitchell Presided

COMMUNICATIONS (CONT'D)

- 12-C-1047 (7) A Communication by **Mayor Kasim Reed** appointing Angela Lynn Priest to serve as a member of the Office of Buildings Technical Advisory Committee on behalf of the City of Atlanta. This appointment is for a term of two (2) years, to begin upon receipt of appointment letter from the Mayor and execution and filing of the oath or affirmation required by Code.
FILED WITHOUT OBJECTION
- 12-C-1048 (8) A Communication by **Mayor Kasim Reed** appointing Dennis D. McConnell to serve as a member of the Office of Buildings Technical Advisory Committee on behalf of the City of Atlanta. This appointment is for a term of two (2) years, to begin upon receipt of appointment letter from the Mayor and execution and filing of the oath or affirmation required by Code.
FILED WITHOUT OBJECTION
- 12-C-1049 (9) A Communication by **Mayor Kasim Reed** appointing Kevin Curry to serve as a member of the Office of Buildings Technical Advisory Committee on behalf of the City of Atlanta. This appointment is for a term of two (2) years, to begin upon receipt of appointment letter from the Mayor and execution and filing of the oath or affirmation required by Code.
FILED WITHOUT OBJECTION
- 12-C-1050 (10) A Communication by **Mayor Kasim Reed** appointing Moraima A. Ivory to serve as a member of the License Review Board on behalf of the City of Atlanta. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION
- 12-C-1051 (11) A Communication by **Mayor Kasim Reed** appointing Christopher Evan Ward to the position of Associate Judge for the City of Atlanta Municipal Court. This appointment is scheduled to begin on the day of his swearing-in. (Council action not required)
FILED WITHOUT OBJECTION
- 12-C-1052 (12) A Communication from **Mark Massey, Clerk to the Fulton County Commission, to Council President Ceasar C. Mitchell**, submitting the Fulton County Board of Commissioners' appointment of Mr. Demarcus Peters to serve as the County's Representative on the Beltline Tax Allocation District (TAD) Advisory Committee. 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 WITHOUT OBJECTION

8/20/12 Action Minutes

Council President Ceasar C. Mitchell Presided

COMMUNICATIONS (CONT'D)

- 12-C-1054 (13) A Communication by **Mayor Kasim Reed** appointing Mr. Randy H. Hazelton to serve as a member of the Atlanta Urban Design Commission. Mr. Hazelton is filling the expired term of Mr. Don Rooney in the Historic Preservation position. 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 WITHOUT OBJECTION
- 12-C-1055 (14) A Communication by **Mayor Kasim Reed** appointing Ms. Cree Davis to serve as a member of the Atlanta Urban Design Commission. Ms. Davis is filling the expired term of Mr. Freddie Styles in the Artist position. 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 WITHOUT OBJECTION
- 12-C-1128 (15) A Communication by **Councilmembers Felicia A. Moore, C. T. Martin, Keisha Lance Bottoms, Joyce M. Sheperd and H. Lamar Willis** submitting Mrs. Janet Martin as their appointee to serve as a member of the Atlanta Alcohol Technical Advisory Group (ATAG).
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

VETOED LEGISLATION

Council President Ceasar C. Mitchell Presided

VETOED LEGISLATION

NONE

UNFINISHED BUSINESS

Council President Ceasar C. Mitchell Presided

UNFINISHED BUSINESS

NONE

**CONSENT AGENDA
SECTION I**

8/20/12 Action Minutes

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA

There will be no separate discussion of these items. If discussion on any item is desired, the item will be removed from the Consent Agenda and will be considered separately - excerpt from 11.2, Consent Agenda; Rules for the Conduct of Business for the Council of the City of Atlanta.

CONSENT AGENDA SECTION I, as follows, received Favorable Recommendations in each Committee and all items were collectively Adopted by a single roll call vote in accordance with Section 11.2 of the Rules of Council as follows: 12 Yeas (*Councilmembers Smith, Young, Winslow, Wan, Shook, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis*); **0 Nays.**

SECTION I

ORDINANCES FOR SECOND READING

FINANCE/EXECUTIVE COMMITTEE FELICIA A. MOORE, CHAIR

- 12-O-0910 (1) A **Substitute** Ordinance by **Finance/Executive Committee** authorizing the Mayor or his designee to execute an Amendment to a Lease Agreement with T-Mobile South, LLC for the lease of certain City-owned property having an address of 2630 Ridgewood Road, Atlanta, Georgia and located in Land Lot 231 of the 17th District of Fulton County, Georgia, said Lease Amendment being for the purpose of correcting the legal description of the leased area of the property for certain existing telecommunications equipment; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 12-O-0911 (2) An Ordinance by **Finance/Executive Committee** authorizing the Mayor or his designee to execute an amendment to a Lease Agreement with New Cingular Wireless PCS, LLC for the lease of certain City-owned property having an address of 2630 Ridgewood Road and located in land Lot 231 of the 17th District of Fulton County, Georgia, said Lease Amendment being for the purpose of correcting the legal description of the leased area of the property for an existing cell tower and related telecommunications equipment; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 12-O-1005 (3) An Ordinance by **Councilmember Yolanda Adrean** transferring funds from the District 8 Councilmember Expense Account in an amount of \$5,000.00 to Park Pride on behalf of the Loring Heights Neighborhood Association to assist in the construction of a Safety Fence/Bridge for the Loring Heights Park playground; and for
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

8/20/12 Action Minutes

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

12-O-0905 (4) An Ordinance by **City Utilities Committee** authorizing the acceptance of a permanent easement for slope purposes in exchange for the abandonment of the City's interest in a certain permanent easement that no longer serves a public purpose ("easement exchange"); authorizing the Mayor or his designee to execute all appropriate legal documents and instruments for said easement exchange; and for other purposes.

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

12-O-0906 (5) An Ordinance by **City Utilities Committee** authorizing the Mayor or his designee, on behalf of the City of Atlanta to accept donations of real property located in Land Lot 230 of the 17th District Fulton County, Georgia, pursuant to the City Code Section 2-1544 (a) of the Procurement and Real Estate Code of the City of Atlanta, to allow for certain improvements in connection with the Bolton LCI Project to be completed in partnership with the Georgia Department of Transportation; and for other purposes.

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

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

JOYCE SHEPERD, CHAIR

12-O-0452 (6) An Ordinance by **Councilmembers Michael J. Bond and C. T. Martin as Substituted by Community Development/Human Resources Committee** amending the City of Atlanta Code of Ordinances Chapter 110 Parks and Recreation Article I Section 110-1 by adding the definition of a linear park; and for other purposes.

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

12-O-0999 (7) An Ordinance by **Councilmember C. T. Martin** to amend Section 110-3 of the City of Atlanta Code of Ordinances, so as to reduce or eliminate certain fees charged by the Department of Parks, Recreation and Cultural Affairs; and for other purposes.

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

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (CONT'D)
JOYCE SHEPERD, CHAIR

- 12-O-1002 (8) An Ordinance by **Councilmember Joyce Sheperd** authorizing the Mayor, on behalf of the City, to deposit revenue generated by the Department of Parks, Recreation and Cultural Affairs from certain use, rental, and activity fees into Various Trust Accounts indicated herein; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE
MICHAEL J. BOND, CHAIR

- 10-O-2228 (9) An Ordinance by **Councilmember H. Lamar Willis as Amended #2 by Public Safety and Legal Administration Committee** amending the City of Atlanta Code of Ordinances so as to add a new Section 2-1719, prohibition against the use of cell phones by City Employees while operating a vehicle in the performance of city business; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 12-O-1003 (10) An Ordinance by **Councilmember Alex Wan** to amend Chapter 10 (Alcoholic Beverages), Article II (Dealers and Manufacturers), Division 5 (Operational Rules), Section 10-209 (a) and (b) (Hours Of Operation), of the Code of Ordinances of the City of Atlanta, Georgia, so as to reflect the allowance of packaged alcohol sales on Sunday as the result of a referendum held and approved on November 8, 2011; to waive conflicting Ordinances and Code Sections; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 12-O-1007 (11) An Ordinance by **Councilmember C. T. Martin** 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 Monday, September 3, 2012 (Labor Day), only, for all licensed establishments authorized to sell alcoholic beverages for on premises consumption; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS

FINANCE/EXECUTIVE COMMITTEE

FELICIA A. MOORE, CHAIR

- 11-R-1104 (1) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor to award and execute an Agreement with Thanks Again, LLC, pursuant to Code Section 2-1191.1; Special Procurement, for the purpose of providing a credit card based Customer Rewards Program for Hartsfield-Jackson Atlanta International Airport, in an amount not to exceed \$135,000.00 for year one (1); all contracted work shall be charged to and paid from the FDOA Numbers listed; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 12-R-0985 (2) A Resolution by **Finance/Executive Committee** authorizing the Chief Financial Officer to issue a refund to Iron Data Solutions for an overpayment of Business License Fees in the amount of \$13,279.18; all funds to be charged to and paid from the FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 12-R-0986 (3) A Resolution by **Finance/Executive Committee** authorizing the Chief Financial Officer to issue a refund to Clearwire for an overpayment of Business License Fees in the amount of \$9,730.57; all funds to be charged to and paid from the FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 12-R-0988 (4) A **Substitute** Resolution by **Finance/Executive Committee** authorizing reimbursement to Standard Parking Corporation in an amount not to exceed \$387,000.00 with an effective date of March 23, 2011 and authorizing an additional reimbursement in an amount not to exceed \$378,000.00 for a total reimbursement amount not to exceed \$1,060,000.00, for costs incurred to convert Airport Shuttle Buses to compress Natural Gas, on behalf of the Executive Offices-Office of Sustainability; all funds to be charged to and paid from the FDOA Numbers listed; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

FELICIA A. MOORE, CHAIR

- 12-R-0990 (5) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor on behalf of the City of Atlanta to issue a Task Order to Arcadis/BPA, a Joint Venture for FC-4906A, Architectural Engineering and Design for Programming, Schematic Design, Construction Documents and Design Development Standards on behalf of the Executive Offices-Innovation Delivery Team for the City of Atlanta – 311 Call Center, in an amount not to exceed \$106,674.00; all work to be charged to and paid from the FDOA Numbers listed; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

- 12-R-0993 (6) A Resolution by **City Utilities Committee** authorizing the Mayor or his designee to enter into an agreement with Thomas Cleaning Service, Inc., d/b/a Turf Care Service, for FC-5825, Annual Grounds Maintenance Contract, on behalf of the Department of Watershed Management, in an amount not to exceed \$360,871.00; all contracted work will be charged to and paid from the listed Fund, Department Organization and Account Numbers; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 12-R-0994 (7) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into Amendment Agreement No. 1 with Terra Renewal, LLC, for FC-5641, Annual Contract for Dewatering, Hauling and Disposal Services on behalf of the Department of Watershed Management to add Sludge Hauling Services for the City's Water Reclamation Centers in an amount not to exceed \$831,000.00; all contracted work will be charged to and paid from the listed Fund, Department Organization and Account Numbers; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

CITY UTILITIES COMMITTEE (CONT'D)

NATALYN M. ARCHIBONG, CHAIR

- 12-R-0995 (8) An **Amended** Resolution by **City Utilities Committee** authorizing the Mayor or his designee on behalf of the City of Atlanta, to enter into an Encroachment Agreement for Non-Conforming Uses with the Atlanta Preservation Center, owner of real property located at 327 St. Paul Avenue, SE, Atlanta, Georgia for the purpose or permitting the replacement of two failing retaining walls with new walls to partially extend into the public right-of-way along the north side of Orleans Street for an approximate total of seventy-eight (78) feet; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 12-R-0996 (9) An **Amended** Resolution by **City Utilities Committee** authorizing the Mayor or his designee on behalf of the City of Atlanta, to enter into an Encroachment Agreement for Non-Conforming Uses with Atlanta Underground, LLC, owner of real property located at 54 Peachtree Street, SW, Atlanta, Georgia for the purpose or permitting an overhead canopy, a blade sign and a sign cabinet along the east side of Peachtree Street and south side of Alabama Street; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 12-R-1008 (10) A Resolution by **Councilmembers Keisha Lance Bottoms, Joyce M. Sheperd, Natalyn Archibong, Felicia A. Moore, Yolanda Adrean, C. T. Martin, Michael J. Bond, H. Lamar Willis, Alex Wan, Howard Shook, Ivory L. Young, Jr. and Aaron Watson as Amended by City Utilities Committee** authorizing the creation of a commission to study and propose an appropriate honor befitting Dr. Gerald L. Durley in the City of Atlanta; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

8/20/12 Action Minutes

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

MICHAEL J. BOND, CHAIR

Claims with favorable recommendations:

- 12-R-1011 (1) Claim of **State Farm Insurance Company, as subrogee of Alice E. Taylor (DPW/07)**, for property damages alleged to have been sustained from an automobile accident on July 11, 2011 at Brookwood Drive and East Wesley Road. **\$11,500.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 12-R-1012 (2) Claim of **Progressive Insurance Company, as subrogee of Martha Lukes (DPW/04)**, for property damage sustained as a result of a vehicular accident on December 5, 2011 at Interstate 20 West at Joseph E. Lowery Boulevard. **\$6,291.91**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 12-R-1013 (3) Claim of **Alice Simmons, through her attorney, Elissa Blache, Esq., Foy and Associates (AFR/04)**, for bodily injury alleged to have been sustained from an automobile accident on December 31, 2011 at 2315 Cascade Road, SW. **\$5,600.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 12-R-1014 (4) Claim of **Esurance Property and Casualty Insurance Company, as subrogee of Normany, Parham (APD/09)**, for property damage alleged to have been sustained from an automobile accident on July 26, 2011 at 662 Commercial Avenue. **\$5,123.47**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 12-R-1015 (5) Claim of **Jason Simmons, through his attorney, Elissa Blache, Esq., Foy and Associates (AFR/04)**, for bodily injury alleged to have been sustained from an automobile accident on December 31, 2011 at 2315 Cascade Road, SW. **\$4,100.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS

8/20/12 Action Minutes

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

MICHAEL J. BOND, CHAIR

Claims with favorable recommendations: (Cont'd)

- 12-R-1016 (6) Claim of **Nathaniel Boston, a minor, through his attorney, Elissa Blache, Esq., Foy and Associates (AFR/04)**, for bodily injury alleged to have been sustained from an automobile accident on December 31, 2011 at 2315 Cascade Road, SW. **\$3,100.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 12-R-1017 (7) Claim of **Clint A. Wilson, through his attorney, Morgan and Morgan (APD/09)**, for bodily injury alleged to have been sustained from an automobile accident on July 26, 2011 at 662 Commercial Avenue, NW. **\$3,000.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 12-R-1018 (8) Claim of **Craig Dobrin (DWM/04)**, for property damage alleged to have been sustained from a construction cut on January 28, 2012 at 1495 Mount Paran Road. **\$2,240.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 12-R-1019 (9) Claim of **Sarah C. Reinhold (APD/NA)**, for property damage alleged to have been sustained from an automobile accident on December 26, 2011 at 6000 North Terminal Parkway. **\$1,976.87**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 12-R-1020 (10) Claim of **Martin E. Lewis, Jr. (DPW/02)**, for property damage alleged to have been sustained from an automobile accident on May 1, 2012 at 214 Martin Luther King, Jr. Drive. **\$1,835.20**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 12-R-1021 (11) Claim of **Gary Drudge (AFR/04)**, for property damage alleged to have been sustained from an automobile accident on August 28, 2011 at 1022 Ashby Grove. **\$1,203.12**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS

8/20/12 Action Minutes

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

MICHAEL J. BOND, CHAIR

Claims with favorable recommendations: (Cont'd)

- 12-R-1022 (12) Claim of **Nefretiria Williams (DWM/05)**, for personal injury sustained as a result of walking into an uncovered water meter box on February 3, 2012 at 2690 Alston Drive. **\$1,200.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 12-R-1023 (13) Claim of **Leslie M. Dees (DPRCA/08)**, for property damage alleged to have been sustained to landscaping during a tree removal project on August 4, 2011 at 2103 Springlake Drive, NW. **\$1,185.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 12-R-1024 (14) Claim of **Scott P. Joyce (DWM/04)**, for property damage alleged to have been sustained from a construction cut on January 27, 2012 at 1495 Mount Paran Road. **\$986.08**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 12-R-1025 (15) Claim of **Tyronn Andrews (DPW/06)**, for property damage alleged to have been sustained from driving over a deteriorated sidewalk and curb on August 8, 2011 at 728 Monroe Drive. **\$800.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 12-R-1026 (16) Claim of **Martha Perkins (DWM/09)**, for vehicular damages alleged to have been sustained from a water valve on April 3, 2012 at 2121 Defoors Ferry Road. **\$654.52**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 12-R-1039 (17) Claim of **Fombanga Tita (DPW/01)**, for property damages alleged to have been sustained from an automobile accident on July 10, 2012 at 1230 Woodland Avenue. **\$3,225.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS

8/20/12 Action Minutes

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)

MICHAEL J. BOND, CHAIR

Claims with unfavorable recommendations:

- 12-R-1027 (18) Claim of **Claudine Davis (DWM/04)**, for property damage sustained as a result of a vehicular accident on December 19, 2011 at Peters Street at McDaniel Street.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-1028 (19) Claim of **Tonya Gonzalez (DPW/02)**, for property damage sustained as a result of a vehicular accident on January 7, 2012 at 97 Simpson Street.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-1029 (20) Claim of **Ali Akbar Khanmohamadi-Hezave and Mojgan Khalilifard (DWM/07)**, for property damage alleged to have been sustained due to a water main break on November 23, 2011 at 2266 Stephen Long Drive.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-1030 (21) Claim of **Therese Natty (JUD/02)**, for damage alleged to have been sustained as a result of being detained at the Atlanta Detention Center on February 8, 2011 at 254 Peachtree Street.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-1031 (22) Claim of **Therese Natty (JUD/02)**, for damage alleged to have been sustained as a result of being detained at the Atlanta Detention Center on March 11, 2011 at 254 Peachtree Street.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**
- 12-R-1032 (23) Claim of **Therese Natty (JUD/02)**, for damage alleged to have been sustained as a result of being detained at the Atlanta Detention Center on March 31, 2011 at 254 Peachtree Street.
**ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**

8/20/12 Action Minutes

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)
MICHAEL J. BOND, CHAIR

Claims with unfavorable recommendations: (Cont'd)

- 12-R-1033 (24) Claim of **Therese Natty (JUD/02)**, for damage alleged to have been sustained as a result of being detained at the Atlanta Detention Center on April 12, 2011 at 254 Peachtree Street.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 12-R-1034 (25) Claim of **Ehsan Razavi, through his attorney, Yinka T. Omole & Associates (APD/02)**, for personal injury and property damage alleged to have been sustained on July 23, 2011 at 3414 Peachtree Street.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS
- 12-R-1035 (26) Claim of **Paula Weatherspoon (APD/03)**, for damage alleged to have been sustained on October 25, 2010 at 2130 Tiger Flowers Drive, NW.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS

**CONSENT AGENDA
SECTION II**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA

SECTION II

ORDINANCES FOR FIRST READING

FINANCE/EXECUTIVE COMMITTEE

FELICIA A. MOORE, CHAIR

All items on Consent Agenda Section II; (1) through (03) as follows, were Referred to the appropriate Committees by a single roll call vote of 12 yeas (Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Watson and Willis); 0 nays.

- 12-O-0989 (1) An Ordinance by **Finance/Executive Committee** to authorize the Mayor or his designee to accept wireless equipment and enter into an Agreement with Verizon Wireless to install, maintain and operate an In-Building Wireless Service Coverage System for the City of Atlanta facility located at 72 Marietta Street Northwest, Atlanta, Georgia 30303 at no expense to the City of Atlanta.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 12-O-0991 (2) An Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer to establish the Office of Buildings Renewal and Extension Fund; to designate the manner in which Net Revenues of the Office of Buildings will flow to such fund; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 12-O-0992 (3) An Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer to amend the FY2013 (Princeton Lakes TAD Fund (2704)) Budget by transferring from Appropriations and the FY2013 (NDP Princeton Lakes TAD (2006)) Budget by transferring to Appropriations in the amount of \$4,065,275.00 for the purpose of reallocating remaining Capital Project Funds to ongoing Operational Expenses; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE
MICHAEL J. BOND, CHAIR

12-R-1038 (4) An Ordinance by the **Public Safety and Legal Administration Committee** authorizing the Chief Financial Officer to create two new Trust Accounts for the transfer and/or deposit of funds currently being maintained in separate "Off the Books" Bank Accounts Maintained and Controlled by the Atlanta Police Department; to waive conflicting Ordinances and Code Sections; and for other purposes.

REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; (Councilmembers Smith, Young, Winslow, Wan, Shook, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis); 0 NAYS.

COMMITTEE REPORTS

8/20/12 Action Minutes

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS

TRANSPORTATION COMMITTEE (1)

YOLANDA ADREAN, ACTING-CHAIR

NOTE: DUE TO THE LACK OF A QUORUM OF THE TRANSPORTATION COMMITTEE AT ITS REGULARLY SCHEDULED MEETING HELD ON JULY 31, 2012, THE COMMITTEE WENT INTO THE "COMMITTEE OF THE WHOLE" AT THE FULL COUNCIL MEETING.

Attendance at the July 31, 2012 meeting of the Transportation Committee was as follows:

Present: Councilmembers Moore and Adrean

Absent: Councilmembers Martin (Chair) Bottoms, Smith, Bond and Archibong

12-R-0600 (1) A Resolution by **Transportation Committee** authorizing the Mayor to award and execute Concessions Agreement FC-5210 with Coca-Cola Refreshments USA, Inc., to provide Vending Concessions Services at seventeen (17) separate vending concession locations on Concourses T, A, B, C, D, E, F, the Atrium, the North Baggage Claim Area, and the Rental Car Center, totaling approximately 2,062 square feet at Hartsfield-Jackson Atlanta International Airport; and for other purposes. **(Held 5/2/12 at the request of the Department of Aviation for further discussion.)**

Chairperson Martin sounded the caption to Resolution 12-R-0600 and made a Motion to enter Executive Session. It was Seconded by Councilmember Bond, however; withdrew his Second and the Motion to enter Executive Session was withdrawn due to parliamentary procedures of entering Committee of the Whole first. Council then deferred the resolution until the completion of the other Standing Committee reports. Returning back to resolution 12-R-0600, Chairperson Martin made a Motion to enter the Committee of the Whole. It was Seconded by Councilmember Wan and a discussion ensued. After discussion, the Motion to enter Committee of the Whole CARRIED by a roll call vote of 10 yeas; (Councilmembers Smith, Hall, Young, Winslow, Wan, Shook, Martin, Bottoms, Sheperd and Watson); 1 nay (Councilmember Moore). Within Committee of the Whole, Chairperson Martin made Motion to enter Executive Session for active and potential litigation dealing with this resolution. It was properly Seconded and CARRIED by a roll call vote of 8 yeas (Councilmembers Smith, Young, Winslow, Wan Shook, Martin, Sheperd and Watson); 1 nay (Councilmember Moore). Returning from Executive Session, a Motion to re-enter Committee of the Whole was Made, properly Seconded, and CARRIED by a roll call vote of 9 yeas (Councilmembers Smith, Hall, Winslow,

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (2)

YOLANDA ADREAN, ACTING-CHAIR

12-R-0600 (1)
(Cont'd)

A Resolution by **Transportation Committee** authorizing the Mayor to award and execute Concessions Agreement FC-5210 with Coca-Cola Refreshments USA, Inc., to provide Vending Concessions Services at seventeen (17) separate vending concession locations on Concourses T, A, B, C, D, E, F, the Atrium, the North Baggage Claim Area, and the Rental Car Center, totaling approximately 2,062 square feet at Hartsfield-Jackson Atlanta International Airport; and for other purposes. **(Held 5/2/12 at the request of the Department of Aviation for further discussion.)**

Wan, Shook, Moore, Martin, Bottoms, and Willis); **0 nays. Within Committee of the Whole, a Motion was Made to Hold 12-R-0600. It was properly Seconded and FAILED by a roll call vote of 5 yeas; (Councilmembers Young, Wan, Shook, Moore and Sheperd); 7 nays (Councilmembers Smith, Hall, Winslow, Martin, Bottoms, Watson and Willis) Following, Chairperson Martin made a Motion to Approve. It was properly Seconded and CARRIED by a roll call vote of 10 yeas (Councilmembers Smith, Hall, Young, Winslow, Martin, Bottoms, Sheperd, Bond, Watson and Willis); 3 nays (Councilmembers Wan, Shook and Moore). Subsequently, Chairperson Martin made a Motion to exit Committee of the Whole. Properly Seconded, the Motion CARRIED by a roll call vote of 10 yeas; (Councilmembers Hall, Young, Winslow, Wan, Shook, Martin, Bottoms, Sheperd, Watson and Willis); 1 nay (Councilmember Moore). During Regular Session, Chairperson Martin made a Motion to Adopt. It was properly Seconded and CARRIED by a roll call vote of 10 yeas; 3 nays.**

ADOPTED BY A ROLL CALL VOTE OF 10 YEAS; (Councilmembers Smith, Hall, Young, Winslow, Martin, Bottoms, Sheperd, Bond, Watson and Willis); 3 NAYS (Councilmembers Wan, Shook and Moore)

8/20/12 Action Minutes

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

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

Attendance at the August 01, 2012 meeting of the Finance/Executive Committee was as follows:

Present: Councilmembers Moore (Chair), Adrean, Watson, Bond and Hall

Absent: Councilmembers Shook and Martin

12-TR-1040 (1) Report of the **Chief Financial Officer** of the Transfer of Appropriations from one Line Item to another Line Item to various Funds as approved under Section 6-304(b) of the Charter of the City of Atlanta.

FILED BY A ROLL CALL VOTE OF 10 YEAS; *(Councilmembers Smith, Winslow, Wan, Shook, Moore, Martin, Bottoms, Sheperd, Bond and Watson);* **0 NAYS**

RESOLUTION

12-R-0987 (1) A Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into a Cooperative Purchasing Agreement designated by the Department of Procurement as COA-6062-PL, pursuant to 2-1602 of the City of Atlanta Code of Ordinances, utilizing GSA Contract #GS-07F-8940D, to purchase 400 Electronic Control Devices, from Aardvark, to reduce the likelihood of injury caused to suspects resisting lawful arrest, on behalf of the Atlanta Police Department ("Department"), in an amount not to exceed \$799,166.00. All costs shall be charged to and paid from the FDOA Numbers listed; and for other purposes, **ADOPTED BY A ROLL CALL VOTE OF 8 YEAS;** *(Councilmembers Smith, Winslow, Shook, Moore, Bottoms, Sheperd, Bond and Watson);* **1 NAY** *(Councilmember Wan)*

8/20/12 Action Minutes

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (1)

YOLANDA ADREAN, CHAIR

Attendance at the August 20, 2012 meeting of the Committee on Council was as follows:

Present: Councilmembers Adrean (Chair), Moore, Sheperd, Bottoms, Winslow and Hall

Absent: Councilmember Archibong

COMMUNICATIONS

Communications; (1) through (02) as follows, were Filed by a single roll call vote of 11 yeas (*Councilmembers Smith, Hall, Winslow, Wan, Shook, Moore, Martin, Bottoms, Sheperd, Bond and Willis*); **0 nays.**

12-C-0786 (1) A Communication by **Leslie Ward, City Auditor**, submitting the Performance Audit Report regarding Tax Allocation Districts. **(Recommendation to File by Finance/Executive Committee 8/1/12) (Joint Work Session (CD/HR) held 7/9/12)**
FILED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

12-C-0977 (2) A Communication by **Mayor Kasim Reed** to Council President Ceasar C. Mitchell, appointing Mr. Ian Labitue to serve as a member of the Civil Service Board on behalf of the City of Atlanta to replace the expired term of Barlett H. Hargo. This appointment is for a term of three (3) years, to begin on the date of Council confirmation. **(Recommendation to file by Finance/Executive Committee 8/1/12)**
FILED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

Communications; (3) through (12) as follows, were Confirmed by a single roll call vote of 11 yeas (*Councilmembers Smith, Hall, Winslow, Wan, Shook, Moore, Martin, Sheperd, Bond, Watson and Willis*); **0 nays.**

12-C-0973 (3) A Communication by **Mayor Kasim Reed** appointing Ms. Labriah D. Lee to serve as a member of the Atlanta Citizen Review Board on behalf of the City of Atlanta. This appointment is for a term of three (3) years, scheduled to begin on the date of Council confirmation. **(Favorable by Public Safety & Legal Administration Committee 7/31/12)**
CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

8/20/12 Action Minutes

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (2) YOLANDA ADREAN, CHAIR

COMMUNICATIONS (CONT'D)

- 12-C-0974 (4) A Communication by **Mayor Kasim Reed** appointing Ms. Malikah Berry to serve as a member of the Atlanta Commission on Women on behalf of the City of Atlanta. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.
CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS
- 12-C-0975 (5) A Communication by **Mayor Kasim Reed** appointing Ms. Shelley Senterfitt to serve as a member of the Atlanta Commission on Women on behalf of the City of Atlanta. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.
CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS
- 12-C-0976 (6) A Communication by **Mayor Kasim Reed** appointing Mr. Paul E. Vranicar to serve as a member of the Atlanta Fulton County Recreation Authority Board on behalf of the City of Atlanta. This appointment is for a term of four (4) years, scheduled to begin on the date of Council confirmation. (Favorable by Community Development/human Resources Committee 7/31/12)
CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS
- 12-C-0978 (7) A Communication by **Mayor Kasim Reed** to Council President Ceasar C. Mitchell, appointing Ms. Asha Palmer to serve as a member of the Civil Service Board on behalf of the City of Atlanta to replace the expired term of Hazel Jacobs. This appointment is for a term of three (3) years, to begin on the date of Council confirmation. (Favorable by Finance/Executive Committee 8/1/12)
CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS
- 12-C-0979 (8) A Communication by **Mayor Kasim Reed** to Council President Ceasar C. Mitchell, re-appointing Mr. Kevin Perry to serve as a member of the Civil Service Board on behalf of the City of Atlanta. This re-appointment is for a term of three (3) years, to begin on the date of Council confirmation. (Favorable by Finance/Executive Committee 8/1/12)
CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS
- 12-C-0981 (9) A Communication by **Mayor Kasim Reed** appointing Mr. Maynard Eaton to serve as a member of the People TV Board of Directors on behalf of the City of Atlanta. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation. (Favorable by City Utilities Committee 7/31/12)
CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

8/20/12 Action Minutes

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (3) YOLANDA ADREAN, CHAIR

COMMUNICATIONS (CONT'D)

- 12-C-0982 (10) A Communication by Mayor Kasim Reed appointing Mr. Johnny L. Wilson to serve as a member of the People TV Board of Directors on behalf of the City of Atlanta. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation. **(Favorable by City Utilities Committee 7/31/12)**
CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS
- 12-C-0984 (11) A Communication by **Councilmembers Keisha Lance Bottoms, District 11; Joyce M. Sheperd, District 12 and H. Lamar Willis, Post 3 At-Large** re-appointing Mr. David Coleman to serve as a member of the Zoning Review Board. This re-appointment is for a term of two (2) years, retroactive to November 19, 2011 and ending November 19, 2013, scheduled to begin on the date of Council confirmation. **(Favorable by Zoning Committee 8/20/12)**
CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS
- 12-C-1000 (12) A Communication by **Councilmembers Natalyn M. Archibong, District 5; Alex Wan, District 6 and Aaron Watson, Post 2 At-Large** appointing Mr. Joseph Alcock to serve as a member of the Zoning Review Board. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation. **(Favorable by Zoning Committee 8/20/12)**
CONFIRMED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

ORDINANCE FOR FIRST READING

- 12-O-1053 (1) An Ordinance by **Committee on Council** to amend the 2001 City of Atlanta Precincts and Polling Places in Precincts 03E, 03F, 05B, 05F, 07F and 07G as a result of permanent relocations due to closing of facilities; precinct boundary lines no longer divided and inadequate heat and air in existing facility; and for other purposes.
REFERRED TO COMMITTEE ON COUNCIL BY A ROLL CALL VOTE OF 10 YEAS; (Councilmembers Smith, Hall, Winslow, Wan, Shook, Moore, Martin, Sheperd, Bond and Watson); 0 NAYS

8/20/12 Action Minutes

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

CITY UTILITIES COMMITTEE (1)

NATALYN M. ARCHIBONG, CHAIR

Attendance at the July 31, 2012 meeting of the City Utilities Committee was as follows:

Present: Councilmembers Archibong (Chair), Watson, Adrean and Willis

Absent: Councilmembers Martin and Smith

The Council's standing City Utilities Committee did not deliver a report at this meeting.

8/20/12 Action Minutes

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (1) **JOYCE SHEPERD, CHAIR**

Attendance at the July 31, 2012 meeting of the City Utilities Committee was as follows:

Present: Councilmembers Sheperd (Chair), Wan, Young, Winslow and Hall

Absent: Councilmember Shook

The Council's standing Community Development/Human Resources Committee did not deliver a report at this meeting.

8/20/12 Action Minutes

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (1)
MICHAEL J. BOND, CHAIR

Attendance at the July 31, 2012 meeting of the Public Safety and Legal Administration Committee was as follows:

Present: Councilmembers Bond (Chair), Willis, Wan, Young, Winslow and Sheperd

Absent: Councilmember Martin

The Council's standing Community Development/Human Resources Committee did not deliver a report at this meeting.

8/20/12 Action Minutes

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (1)

ALEX WAN, CHAIR

Attendance at the August 01, 2012 meeting of the Zoning Committee was as follows:

Present: Councilmembers Wan (Chair), Smith, Watson, Shook and Young

Absent: Councilmembers Bottoms and Willis

NOTE: DUE TO A LACK OF A QUORUM, THE REGULARLY SCHEDULED ZONING COMMITTEE WAS RESCHEDULED FOR MONDAY, AUGUST 20, 2012 AT 10:30 A.M. IN COMMITTEE ROOM #2.

ZONING REVIEW BOARD SUMMARY REPORT ITEMS

Ordinances; (1) through (04) as follows, were Adopted as Amended by a single roll call vote of 11 yeas (Councilmembers Smith, Hall, Young, Winslow, Wan, Shook, Moore, Martin, Sheperd, Bond and Watson); 0 nays.

12-O-0701 (1) An **Amended** Ordinance by **Zoning Committee** granting a Special
U-12-11 Use Permit pursuant to Section 16-08.005 (1)(j) for a Community Center located at **542 Boulevard, N.E.**, fronting approximately 60 feet on the west side of Boulevard and approximately 98 feet south of the intersection of Boulevard and Morgan Place. Depth: 152 feet; Area: approximately 0.209 acres; Land Lot 47, 14th District, Fulton County, Georgia. Owner: Beacon of Hope, Inc.; Applicant: Operation Peace, Inc./Edna Moffett; NPU-M Council District 2.
ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

12-O-0702 (2) An **Amended** Ordinance by **Zoning Committee** granting a Special
U-12-12 Use Permit pursuant to Section 16-18L.007 (3)(a) for a Special Use Permit for outdoor amusement enterprises, exhibits, entertainment, meetings, displays, or sales area, or outdoor areas for religious ceremonies 90 days or more day duration, located at **3161 Maple Drive, N.E.**, fronting approximately 101 feet on the east side of Maple Drive and approximately 482 feet south of Peachtree Road. Depth: varies; Area: approximately 0.636; Land Lot 61, 14th District, Fulton County, Georgia. Owner: Shaw T. Jamison; Applicant: Hoyt Tommy Smith; NPU-B Council District 7.
ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (2)
ALEX WAN, CHAIR

ZONING REVIEW BOARD SUMMARY REPORT ITEMS (CONT'D)

11-O-0541 (3)
U-11-13

An **Amended** Ordinance by **Zoning Committee** granting a Special Use Permit pursuant to Section 16.05.005 (1)(b) and (c) and Section 16.08.005 (1) (b) of the City of Atlanta Zoning Ordinance for a Church and Day Care Center property located at **3723 Narmore Drive, N.E.** and **3686 Peachtree Road, N.E.** fronting approximately 104 feet on the east side of Narmore Drive, approximately 400 feet south of the intersection of Narmore Drive and Peachtree Road. Depth: varies; Area: approximately 0.429 acres; Land Lot 10, 17th District, Fulton County, Georgia. Owner: Peachtree Road Evangelical Lutheran Church of Atlanta; Applicant: Kirk P. Bridgers; NPU-B Council District 7.
ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS

12-O-0847 (4)
Z-12-23

An **Amended** Ordinance by **Zoning Committee** to rezone from the C-2 (Community Service) District and PDMU (Planned Development-Mixed Use) District and HC-20L-SA3 (Inman Park Historic) District and Beltline Overlay District to the C-2-C (Community Service-Conditional) District and HC-20L-SA3 (Inman Park Historic) District and Beltline Overlay District, property located at **280 Elizabeth Street and 885 North Highland Avenue, N.E.**, fronting approximately 284 feet on the north side of Lake Avenue at the northwest intersection of Lake Avenue. Dept: varies; Area: approximately 3.309 acres; Land Lots 10 and 14, 14th District, Fulton County, Georgia. Owner: Peter Hand and Muha, LLC; Applicant: JPX Works, LLC; NPU-N Council District 2.
ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 11 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (3)
ALEX WAN, CHAIR

ZONING REVIEW BOARD SUMMARY REPORT ITEMS (CONT'D)

12-O-0848 (5) An **Amended** Ordinance by **Zoning Committee** to rezone from the
Z-12-24 R-4A (Single Family Residential) District to the RLC-C (Residential
Limited-Commercial-Conditional) District for property located at
472 Paines Avenue, N.W., fronting approximately 71 feet on the
west side of Paines Avenue at the northwest intersection of Paines
Avenue and Jett Street. Depth: approximately 125 feet; Acres:
approximately 0.204; Land Lot 111, 14th District, Fulton County,
Georgia. Owner: Residential Fund 46, LLC; Applicant: Jeffrey
McDowell; NPU-L Council District 3.

Chairperson Wan sounded the caption to Ordinance 12-O-0848 and made a Motion to Table. It was Seconded by Councilmember Young and CARRIED by a roll call vote of 10 yeas; 0 nays.

TABLED AS AMENDED BY A ROLL CALL VOTE OF 10 YEAS;
(Councilmembers Smith, Hall, Young, Winslow, Wan, Shook, Moore,
Martin, Sheperd and Watson); 0 NAYS

ORDINANCE FOR SECOND READING

12-O-0387 (6) An **Amended** Ordinance by **Zoning Committee** granting a Special
U-12-03 Use Permit pursuant to Section 16-11.005(l)(b) for a mortuary
located at **2891 Lakewood Avenue, SE**, on property known as the
Lakewood Shopping Center and is more specifically located near
the intersection of Fleet Street and Lakewood Avenue. The overall
property (Lakewood Shopping Center) is approximately 998 feet on
the north side of Lakewood Avenue, approximately 450 feet on the
east side of Fleet Street and approximately 1,189 feet on the west
side of Metropolitan Parkway. **(Held 5/16/12)**

FILED AS AMENDED BY A ROLL CALL VOTE OF 11 YEAS;
(Councilmembers Smith, Hall, Young, Winslow, Wan, Shook, Moore,
Martin, Bottoms, Sheperd and Watson); 0 NAYS

8/20/12 Action Minutes

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (4)
ALEX WAN, CHAIR

ORDINANCES FOR FIRST READING

Ordinances For First Reading; (1) through (02) as follows, were Referred to the appropriate Committees by a single roll call vote of 11 yeas (Councilmembers Smith, Hall, Young, Winslow, Wan, Shook, Moore, Martin, Sheperd, Bond and Watson); 0 nays.

12-O-1036 (1)
Z-12-25 An Ordinance by **Zoning Committee** to rezone from the I-1 (Light Industrial) District to the O-I-C (Office Institutional-Conditional) District, property located at **1524 Hannah Street, SE**, fronting approximately 60 feet on the east side of Hannah Street beginning 150 feet from the southeast corner of Anne Street.

Depth: Approximately 75 Feet
Area: Approximately 0.226 Acre
Land Lot: 57, 14th District, Fulton County, Georgia
Owner: The Ron Clark Academy
Applicant: Bonnie Dean
NPU-Y Council District 1

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

12-O-1037 (2)
Z-12-26 An Ordinance by **Zoning Committee** to rezone from the C-2 (Commercial Service) District to the C-3 (Commercial Residential) District, property located at **425 14th Street, NE**, fronting approximately 300 feet on the north side of 14th Street at the westerly intersection of Mecaslin Street and 14th Street.

Depth: Approximately 388 feet
Area: Approximately 2.35 Acres
Land Lot: 149, 17th District, Fulton County, Georgia
Owner: Meredith Corporation
Applicant: Meredith Corporation/M. Hakim Hilliard,
Esquire
NPU-E Council District 3

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS

PERSONAL PAPERS

8/20/12 Action Minutes

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS

ORDINANCES/REFERRED

- 12-O-1129 (1) An Ordinance by **Councilmembers C. T. Martin and Keisha Lance Bottoms** authorizing the Mayor or his designee to provide a copy of all building permits issued by the Bureau of Buildings for new construction, redevelopment on all properties and all zoning designations (i.e. residential, commercial, light and heavy industrial, office institutional, special public interest districts, etc.) to allow elected representatives the opportunity to share pertinent information concerning neighborhoods in their districts with their constituents for review and comment; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION
- 12-O-1131 (2) An Ordinance by **Councilmember Howard Shook** authorizing the Chief Financial Officer to amend the Fiscal Year 2013 Budget by transferring appropriations from various departments in a total amount of Three Million, Three Hundred Sixty-Eight Thousand, Sixty-Five Dollars and Thirty Cents (\$3,368,065.30) to the project and grants; project, award, task, expenditure type, organization number 05111397 in order to fund all contracted work for the 311 Call Center Project; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 12-O-1132 (3) An Ordinance by **Councilmember C. T. Martin** to waive Article X, Procurement and Real Estate Code, of the Atlanta Code of Ordinances, authorizing the Mayor or his designee to execute a renewal agreement with Patton Boggs LLP for FC-5184, consulting and lobbying at the federal government level, on a month-to-month basis, on behalf of the Department of Aviation and the Department of Watershed Management, in an amount not to exceed Three Hundred Thousand Dollars and No Cents (\$300,000.00); 5501 (Airport Revenue Fund) 180105 (Aviation Public Affairs) 5212001 (Consulting Professional Services) 7563000 (Airport Function Activity) (\$140,000.00); and 5051 (Water & Wastewater Revenue) 170101 (DWM Commissioner of Water) 5212001 (Consulting/Professional) 1320000 (Chief Executive) (\$160,000.00); and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

8/20/12 Action Minutes

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

12-O-1133 (4) An Ordinance by **Councilmembers C. T. Martin and Keisha Lance Bottoms** authorizing the Mayor to waive the competitive source selection requirements contained in Section 2-1187 of the City of Atlanta Code of Ordinances; authorizing A-Action, Inc. to provide and the City of Atlanta to accept city-wide janitorial services for janitorial service at various city facilities on a month-to-month basis for up to three (3) months beginning on September 8, 2012 and ending on December 8, 2012 under the terms of contract FC-7664-04A on behalf of the Executive Office-Office of Enterprise Assets Management to include the sites and funding for the Department of Police and Watershed Management for a total not to exceed amount of Nineteen Thousand and 00/100 Dollars (\$19,000.00) with all work charged to and paid from: Department of Police-1001 (General Fund), Department 240101 (APD Uniform Patrol), Account 5212001 (Consulting/Professional), Function Activity 3223000 (Patrol) in an amount not to exceed Nine Thousand and 00/100 Dollars (\$9,000.00) and Department of Watershed Management - Construction Management/Engineering Services-5052 (Water & Wastewater Renewal), Department 170303 (DWM-Construction), Account 5212001 (Consulting/Professional), Function Activity 4240000 (Tunnels) in an amount not to exceed Ten Thousand and 00/100 Dollars (\$10,000.00); and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

12-O-1134 (5) An Ordinance by **Councilmembers Alex Wan and Carla Smith** 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 Monday, October 15, 2012 only, for all licensed establishments authorized to sell alcoholic beverages for on premises consumption; and for other purposes.

REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

12-O-1135 (6) An Ordinance by **Councilmembers Keisha Lance Bottoms and H. Lamar Willis** authorizing the Mayor or his designee to install all-way stop signs at the intersection of Hogan Road SW and Cambridge Drive SW; and for other purposes.

REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION

8/20/12 Action Minutes

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

- 12-O-1136 (7) An Ordinance by **Councilmembers Keisha Lance Bottoms, C. T. Martin and H. Lamar Willis** authorizing the Mayor or his designee to place interim development controls on the issuance of building permits for new construction on vacant lots in the Cascade Heights and Martin Luther King, Jr. corridors for a period of six (6) months while to allow these communities to review their current neighborhood commercial district zoning laws; and for other purposes.
REFERRED TO ZONING COMMITTEE WITHOUT OBJECTION
- 12-O-1137 (8) An Ordinance by **Councilmember Keisha Lance Bottoms, C. T. Martin and H. Lamar Willis** amending the 1982 Zoning Ordinance of the City of Atlanta for the purpose of adding additional guidelines and regulations for the Cascade Heights Neighborhood Commercial District Chapter 32F.NC-6 by inserting a new subparagraph (1)(f); and for other purposes.
REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION
- 12-O-1138 (9) An Ordinance by **Councilmember Kwanza Hall** to activate Section 106-13 (which code section is currently "Reserved") of the Code of Ordinances of the City of Atlanta, Georgia to be entitled "Loitering or Prowling" so as to make unlawful the activity described therein and to provide for the penalty to be imposed upon persons convicted for the violation of said ordinance and code section; to waive conflicting ordinances and code sections; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION
- 12-O-1140 (10) An Ordinance by **Councilmember Kwanza Hall** to remove all taxi parking on the south side of Mitchell Street between Peachtree Street and Forsyth Street and replace with metered parking; and for other purposes.
REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION
- 12-O-1142 (11) An Ordinance by **Councilmembers Natalyn Mosby Archibong and Aaron Watson** correcting Ordinance Number 12-O-0891 which transferred funds from several projects in the 2013 Water and Wastewater Renewal and Extension Fund that have been realigned, postponed or discontinued for the purpose of correcting the amount (\$9,905,729.46) in the caption and the add to appropriations in Section 1; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION

8/20/12 Action Minutes

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

- 12-O-1143 (12) An Ordinance by **Councilmembers Yolanda Adrean and Felicia A. Moore** to amend Section 2-134 (a) of the Code of Ordinances of the City of Atlanta, Georgia (Powers and Duties) so as to change the procedure by which proposed ordinances, resolutions and other matters shall be referred by the President of the Council to the standing committees of the Council; to eliminate the requirement that papers referred to more than one committee must go to the Full Council for a vote on any subsequent referral; to waive conflicting ordinances and code sections; and for other purposes.
REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION
- 12-O-1144 (13) An Ordinance by **Councilmembers Yolanda Adrean and Felicia A. Moore** transferring funds from the District 8 Councilmember expense account to Park Pride in the amount of \$1,000.00 to assist in the topographic survey for a garden trail at Louise A. Howard Park; and for other purposes
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 12-O-1149 (14) An Ordinance by **Councilmember Carla Smith** to rezone certain properties within the Moreland Avenue Livable Centers Initiative Study NPU-W from various districts to various districts to implement the Moreland Avenue LCI Study.
REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

RESOLUTIONS/REFERRED

12-R-1130 (1) A Resolution by **Councilmembers Michael Bond, Keisha Lance Bottoms, C. T. Martin, Howard Shook, Carla Smith, H. Lamar Willis, Cleta Winslow and Ivory Lee Young, Jr.** authorizing the Mayor to execute contractual agreements for FC-6016 employee benefits, with Blue Cross and Blue Shield of Georgia, Inc. for group health insurance (POS), Kaiser Foundation Health Plan of Georgia, Inc. for group health insurance (HMO), United Healthcare Insurance Company for Medicare Advantage Insurance (PPO), Kaiser Foundation Health Plan of Georgia, Inc. for Medicare Advantage Insurance (HMO), Humana, Inc. for Dental Insurance (DHMO), Cigna Health and Life Insurance Company for Dental Insurance (PPO), United Healthcare Insurance Company (Optima Health) for voluntary vision insurance, Minnesota Life Insurance Company for life Insurance, and the American Family Life Assurance Company of Columbus, Inc. for flexible spending accounts and voluntary benefits; and establishing the accounts from which the insurance premiums will be charged to and paid from; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

12-R-1139 (2) A Resolution by **Councilmember Kwanza Hall** authorizing the City of Atlanta to accept the pro bono donation of professional services from Westcare Georgia, consisting of drug treatment services in the City of Atlanta Detention Center, for a period of one (1) year, at no cost to the City, said services being worth an estimated value of approximately \$ _____; and for other purposes.

REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

12-R-1141 (3) A Resolution by **Councilmembers Kwanza Hall, Carla Smith, Cleta Winslow, C. T. Martin, Ivory Lee Young, Jr. and Michael Julian Bond** adopting a parking Bill of Rights; and for other purposes.

REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION

8/20/12 Action Minutes

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

RESOLUTIONS/REFERRED (CONT'D)

- 12-R-1145 (4) A Resolution by **Councilmembers Yolanda Adrean and Felicia A. Moore** authorizing the Mayor, or his designee, to execute a right-of-way maintenance agreement with the Georgia Department of Transportation concerning a median island to be installed on Northside Drive between Peachtree Battle Avenue and Sagamore Drive, and a right-of-way maintenance agreement between the City and Peachtree Battle Alliance, Inc. in which Peachtree Battle Alliance, Inc. will assume the City's obligations as set forth in the maintenance agreement entered into between the City and the Georgia Department of Transportation; and for other purposes.
REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION
- 12-R-1146 (5) A Resolution by **Councilmembers Natalyn Mosby Archibong and Felicia A. Moore** requesting that the Mayor or his designee utilize the Healthcare Premium Rebate to the City of Atlanta that the Affordable Care Act authorized to reduce the premiums City employees are paying for healthcare; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 12-R-1147 (6) A Resolution by **Councilmembers H. Lamar Willis, Keisha Lance Bottoms, Ivory Lee Young, Jr., Aaron Watson, Michael Julian Bond, Alex Wan, Howard Shook, Clela Winslow and Carla Smith** authorizing the Mayor or his designees, and the DWM and other departments of the City as may be necessary, to negotiate, execute and enter into, on a sole source contract basis, a binding agreement with FogFuels.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 12-R-1148 (7) A Resolution by **Councilmembers Michael Julian Bond, C. T. Martin, Joyce M. Sheperd, Aaron Watson, H. Lamar Willis, Alex Wan, Kwanza Hall, Keisha Lance Bottoms, Howard Shook, Ivory Lee Young, Jr., Clela Winslow and Carla Smith** directing the City of Atlanta Department of Parks, Recreation and Cultural Affairs to create a Linear Park along Martin Luther King, Jr. Drive; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

ADJOURNMENT

8/20/12 Action Minutes

Council President Ceasar C. Mitchell Presided

ADJOURNMENT

There being no further business to discuss, the August 20, 2012 meeting of the Atlanta City Council was adjourned at 6:14 p.m.

ADJOURNMENT ROLL CALL: Council President Ceasar C. Mitchell (1); Councilmembers Smith, Hall, Young, Winslow, Wan, Shook, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis (13); Early Departure with Council President's Acknowledgement – Councilmember Adrean (1).