

**AN AMENDED ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO PERMANENTLY CLOSE THE PORTION OF TYLER STREET N.W. BETWEEN VINE STREET N.W. AND THE SOUTHWEST CORNER OF 593 TYLER STREET N.W.; TO TRANSFER THE PORTION OF TYLER STREET N.W. RIGHT-OF-WAY BETWEEN VINE STREET N.W. AND THE SOUTHWEST CORNER OF 593 TYLER STREET N.W., ATLANTA, GEORGIA FROM THE PURVIEW OF THE DEPARTMENT OF PUBLIC WORKS TO THE PURVIEW OF THE DEPARTMENT OF WATERSHED MANAGEMENT IN CONNECTION WITH CONSTRUCTION OF RODNEY COOK, SR. PARK AT HISTORIC VINE CITY; AND FOR OTHER PURPOSES.  
(A PUBLIC HEARING WAS HELD ON 9/26/17)**

WHEREAS, the City of Atlanta (“City”) owns numerous parks, pathways, and other improvements throughout the City and has the goal of providing outdoor spaces for the use of its citizens and visitors as a safe venue to engage in outdoor activities; and

WHEREAS, the City has determined that it is in the best interest of the public to facilitate construction of the Rodney Cook, Sr. Park at Historic Vine City (“Project”); and

WHEREAS, the 16 acre site (“Site”) for the Project was once a residential neighborhood that was developed in one of the lowest topographic areas on the west side of the City and flooded repeatedly; and

WHEREAS, following the last flood event in 2002, the residential home owners were relocated and the Site became considered for a park with a storm water management facility that could improve the health of the greater Proctor Creek Watershed and could be a centerpiece for sustainable community revitalization; and

WHEREAS, the Department of Public Works has purview over Tyler Street N.W. between Vine Street N.W. and the southwest corner of 593 Tyler Street N.W., located at the Site (“Property”), as depicted in Exhibit “A” as incorporated herein by this reference; and

WHEREAS, the Commissioner of the Department of Public Works has determined that the portions Property are no longer useful or necessary for the public’s use and convenience as a public road; and

WHEREAS, Section 1-102(c)(11) of the Charter grants the City the authority to lay out, open, extend, widen, narrow, establish or change the grade of, vacate, abandon, or close, construct, pave, repave, curb, gutter, adorn with shade trees, otherwise improve, maintain, repair, clean, prevent erosion of, and light streets, alleys, sidewalks, and walkways within the corporate limits of the city; to acquire land for such improvements and to assess the cost or a portion of the cost of payment and enforcement thereof against abutting property under such rules, procedures, terms, and conditions as provided by ordinance; and

WHEREAS, the Department of Watershed Management wishes to enter upon the Property for the purpose of constructing a sewer capacity relief facility and a storm water management facility (“Watershed Project”) which will provide capacity to the City’s combined sewer system, reduce neighborhood flooding, and improve water quality as a part of the Project; and

WHEREAS, in order to facilitate the construction of the Watershed Project, the Commissioner of the Department of Public Works recommends closing Tyler Street N.W. from Vine Street N.W. to the southwest corner of 593 Tyler Street N.W.; and

WHEREAS, the Department of Public Works has agreed that the purview and maintenance of the Property shall be transferred to the Department of Watershed Management.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS AS FOLLOWS:

Section 1. That the portions of Tyler Street N.W. located between Vine Street N.W. and the southwest corner of 593 Tyler Street N.W. are hereby declared no longer useful or necessary for the public’s use and convenience as a public road.

Section 2. That the Mayor, or his designee, is authorized to permanently close the portion of Tyler Street N.W. between Vine Street N.W. and the southwest corner of 593 Tyler Street N.W.

Section 3. That the Mayor, or his designee, is authorized to transfer purview, management, and maintenance of the Property from the Department of Public Works to the Department of Watershed Management.

Section 4. That the Mayor, or his designee, is hereby authorized to execute all documents as may be necessary to effectuate the purposes of this Ordinance.

Section 5. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

**CITY COUNCIL  
ATLANTA, GEORGIA**

17-O-1565

**AN AMENDED ORDINANCE BY CITY UTILITIES COMMITTEE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO PERMANENTLY CLOSE THE PORTION OF TYLER STREET N.W. BETWEEN VINE STREET N.W. AND THE SOUTHWEST CORNER OF 593 TYLER STREET N.W.; TO TRANSFER THE PORTION OF TYLER STREET N.W. RIGHT-OF-WAY BETWEEN VINE STREET N.W. AND THE SOUTHWEST CORNER OF 593 TYLER STREET N.W., ATLANTA, GEORGIA FROM THE PURVIEW OF THE DEPARTMENT OF PUBLIC WORKS TO THE PURVIEW OF THE DEPARTMENT OF WATERSHED MANAGEMENT IN CONNECTION WITH CONSTRUCTION OF RODNEY COOK, SR. PARK AT HISTORIC VINE CITY; AND FOR OTHER PURPOSES.**

**(A Public Hearing was held on 9/26/17)**

**Workflow List:**

Kajara Anderson	Completed	09/01/2017 9:53 AM
William M Johnson	Completed	09/05/2017 12:07 PM
Mayor's Office	Completed	09/05/2017 12:40 PM
Office of Research and Policy Analysis	Completed	09/07/2017 8:48 AM
Atlanta City Council	Completed	09/18/2017 1:00 PM
City Utilities Committee	Completed	09/26/2017 9:30 AM
Atlanta City Council	Completed	10/02/2017 1:00 PM
Mayor's Office	Pending	

**HISTORY:**

09/18/17                                      Atlanta City Council                                      REFERRED TO COMMITTEE

<b>RESULT:</b>	<b>REFERRED TO COMMITTEE [11 TO 0]</b>
<b>AYES:</b>	Bond, Dickens, Smith, Young Jr., Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin
<b>EXCUSED:</b>	Joyce Sheperd
<b>AWAY:</b>	Mary Norwood, Kwanza Hall, Keisha Lance Bottoms

<b>RESULT:</b>	<b>FAVORABLE AS AMENDED [UNANIMOUS]Next: 10/2/2017 1:00 PM</b>
<b>MOVER:</b>	Howard Shook, Councilmember, District 7
<b>SECONDER:</b>	Clarence "C. T." Martin, Councilmember, District 10
<b>AYES:</b>	Wan, Shook, Adrean, Martin, Smith
<b>ABSENT:</b>	Natalyn Mosby Archibong, Joyce Sheperd

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	