

AN ORDINANCE BY COUNCILMEMBER KWANZA HALL AS SUBSTITUTED BY CITY UTILITIES COMMITTEE TO AUTHORIZE THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO AN AMENDED AGREEMENT WITH THE DOWNTOWN ATLANTA COMMUNITY IMPROVEMENT DISTRICT (“ADID”) APPROVING ADDITIONAL LOCATIONS FOR THE DOWNTOWN ATLANTA HOME BANNER PROGRAM; TO WAIVE CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, by resolution designated "95-R-1374," as amended by supplemental resolution "02-R-0241," the City of Atlanta activated and consented to the creation of the Downtown Atlanta Community Improvement District (the "District") to provide, accelerate, supplement, and enhance governmental services and facilities in the geographic area served by the District as permitted under the Atlanta Community Improvement District Act, 1991 Ga. Laws 3653, as amended; and

WHEREAS, by ordinance designated 03-O-0654, adopted by the Atlanta City Council on May 5, 2003 and approved by the Mayor on May 13, 2003, the City of Atlanta agreed to participate in the Downtown Atlanta Permanent Home Banner Program (the “Home Banner Program”) and authorized the Commissioner of Public Works to approve the installation of decorative hanging banners on light poles and other standards in various locations in Downtown Atlanta; and

WHEREAS, Pemberton Place consists of the 20-acre property bounded by Ivan Allen Boulevard, Centennial Olympic Park Drive, Baker Street and Luckie Street, and currently is occupied by three of the City’s most significant attractions - World of Coca-Cola, Georgia Aquarium and The Center for Civil and Human Rights; and

WHEREAS, the terms of the Home Banner Program are memorialized in a Memorandum of Understanding (a “MOU”) between the City of Atlanta and the District, the District desires to allow Pemberton Place to be incorporated into the Home Banner Program; and

WHEREAS, the District and the City of Atlanta desire to amend the MOU between them to incorporate the funding, installation, and maintenance of the Pemberton Place banners; and

WHEREAS, the addendum will allow the 36 type A Street lights surrounding Pemberton Place to be used for the hanging of decorative banners which will be primarily focused on Pemberton Place and the three attractions therein; and

WHEREAS, the maintenance and oversight of the aforementioned Permanent Home Banners will be the responsibility of the Pemberton Place Joint Oversight Committee, as defined in the Master Planning and Operations Agreement previously signed by the three attractions; and

WHEREAS, the City of Atlanta desires to enhance the Home Banner Program by expressly authorizing specific additional locations in Downtown Atlanta for the installation of decorative hanging banners to further enhance the beauty of streets and sidewalks within the District.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

Section 1. The Mayor or his designee the Commissioner of Public Works is hereby authorized to enter into an amended agreement with the District to allow decorative hanging banners for the Banner

Program to be installed in the locations described in Exhibit “B” attached hereto, and more accurately described as the Pemberton Place Banners, and to authorize the installation by the Pemberton Place Joint Oversight Committee of said banners in these locations pursuant to Chapter 138, Article II of the Atlanta Code of Ordinances.

Section 2. The Pemberton Place Joint Oversight Committee shall take responsibility for all Pemberton Place poles approved by the Commissioner of Public Works, including proper and approved maintenance of the permanent home banners displayed continuously through Pemberton Place.

Section 3. The Mayor or his designee the Commissioner of Public Works is hereby authorized to enter into an amended agreement with the Downtown Atlanta Community Improvement District for the operation of the Banner Program substantially in the form attached hereto as Exhibit “C”, which shall include the attached Exhibit “B” containing banner locations for the Georgia Aquarium, the New World of Coca-Cola, and the Center for Civil and Human Rights, with said banners to be reviewed and approved by the Commissioner of Public Works.

Section 4. No additional fees would be assessed for the Pemberton Place Banners, in accordance with the amended agreement between Central Atlanta Progress/Downtown Atlanta Community Improvement District and the City of Atlanta.


Section 5. The City Attorney is authorized to negotiate, prepare, and/or review an appropriate amended agreement for execution by the Mayor.

Section 6. To the extent that this Ordinance and the agreement authorized pursuant to this Ordinance are in conflict with the provisions of Section 138-22 of the Code of Ordinances of the City of Atlanta relating generally to encroachments, or with the provisions of Sections 138-60 (a)(4) through 138-60(a)(8) of the Code of Ordinances of the City of Atlanta relating specifically to flags, banners, signs, and displays, such provisions are hereby waived to the extent of such conflict.

**CITY COUNCIL
ATLANTA, GEORGIA**

16-O-1366

SPONSOR SIGNATURES


Kwana Hall, Councilmember, District 2

**CITY COUNCIL
ATLANTA, GEORGIA**

16-O-1366

AN ORDINANCE BY COUNCILMEMBER KWANZA HALL AS SUBSTITUTED BY CITY UTILITIES COMMITTEE TO AUTHORIZE THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO AN AMENDED AGREEMENT WITH THE DOWNTOWN ATLANTA COMMUNITY IMPROVEMENT DISTRICT (“ADID”) APPROVING ADDITIONAL LOCATIONS FOR THE DOWNTOWN ATLANTA HOME BANNER PROGRAM; TO WAIVE CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

Workflow List:

Clerk of Council	Completed	06/22/2016 9:07 AM
Atlanta City Council	Completed	06/20/2016 1:00 PM
City Utilities Committee	Completed	06/28/2016 9:30 AM
Atlanta City Council	Completed	07/05/2016 1:00 PM
City Utilities Committee	Completed	07/12/2016 9:30 AM
City Utilities Committee	Completed	07/12/2016 9:30 AM
Atlanta City Council	Completed	07/18/2016 1:00 PM
Mayor's Office	Pending	

HISTORY:

06/20/16 Atlanta City Council REFERRED WITHOUT OBJECTION

RESULT:	REFERRED WITHOUT OBJECTION	Next: 6/28/2016 9:30 AM
----------------	-----------------------------------	--------------------------------

06/28/16 City Utilities Committee HELD IN COMMITTEE

RESULT:	HELD IN COMMITTEE	Next: 7/5/2016 1:00 PM
----------------	--------------------------	-------------------------------

RESULT:	RETURNED AS HELD	Next: 7/12/2016 9:30 AM
----------------	-------------------------	--------------------------------

AN ORDINANCE BY COUNCILMEMBER KWANZA HALL AS SUBSTITUTED BY CITY UTILITIES COMMITTEE TO AUTHORIZE THE COMMISSIONER OF PUBLIC WORKS TO ENTER INTO AN AMENDED AGREEMENT WITH THE DOWNTOWN ATLANTA COMMUNITY IMPROVEMENT DISTRICT (“ADID”) APPROVING ADDITIONAL LOCATIONS FOR THE DOWNTOWN ATLANTA HOME BANNER PROGRAM; TO WAIVE CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

VOTE RECORD - ORDINANCE 16-O-1366						
<input type="checkbox"/> ADOPTED <input type="checkbox"/> ADVERSED <input type="checkbox"/> FAVORABLE <input type="checkbox"/> ACCEPTED AND FILED <input type="checkbox"/> FIRST READING <input type="checkbox"/> SECOND READING <input type="checkbox"/> THIRD READING <input type="checkbox"/> FOURTH READING <input type="checkbox"/> FIFTH READING <input type="checkbox"/> REFERRED TO COMMITTEE <input type="checkbox"/> HELD IN COMMITTEE <input type="checkbox"/> TABLED <input type="checkbox"/> DEFERRED <input type="checkbox"/> RECONSIDERED <input type="checkbox"/> FILED <input type="checkbox"/> ADOPTED AS AMENDED <input type="checkbox"/> AMENDED <input type="checkbox"/> ACCEPTED <input type="checkbox"/> SUBSTITUTED <input type="checkbox"/> AMENDED SUBSTITUTE <input type="checkbox"/> FILED BY COMMITTEE <input type="checkbox"/> REFERRED TO ZRB AND ZC <input type="checkbox"/> REFERRED WITHOUT OBJECTION <input type="checkbox"/> ADOPTED SUBSTITUTE <input type="checkbox"/> ADOPTED SUBSTITUTE AS AMENDED <input type="checkbox"/> FORWARDED WITH NO RECOMMENDATI <input type="checkbox"/> REFERRED TO SC <input type="checkbox"/> FILED WITHOUT OBJECTION <input type="checkbox"/> FAILED <input type="checkbox"/> FORWARDED TO FC/NQ <input type="checkbox"/> FAVORABLE/SUBSTITUTE <input type="checkbox"/> FAVORABLE/SUB/AMENDED <input type="checkbox"/> FAVORABLE/SUB/AMND/COND <input type="checkbox"/> FAVORABLE/AMND/COND						
			YES/AYE	NO/NAY	ABSTAIN	ABSENT
	MICHAEL JULIAN BOND		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	MARY NORWOOD		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ANDRE DICKENS		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	CARLA SMITH		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	KWANZA HALL		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	IVORY LEE YOUNG JR.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	CLETA WINSLOW		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	NATALYN MOSBY ARCHIBONG		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ALEX WAN		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	HOWARD SHOOK		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	YOLANDA ADREAN		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	FELICIA A. MOORE		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	CLARENCE "C. T." MARTIN		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	KEISHA LANCE BOTTOMS		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	JOYCE SHEPERD		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<ul style="list-style-type: none"><input type="checkbox"/> FAVORABLE/AMENDED<input checked="" type="checkbox"/> RETURNED AS HELD<input type="checkbox"/> FAVORABLE ON CONDITION<input type="checkbox"/> FAVORABLE/SUB/CONDITION<input type="checkbox"/> QUADRENNIALY TERMINATED<input type="checkbox"/> QUESTION CALLED<input type="checkbox"/> ROUTED TO COW<input type="checkbox"/> SUSTAINED<input type="checkbox"/> OVERRIDEN<input type="checkbox"/> NOT ACCEPTED BY COMMITTEE<input type="checkbox"/> SUSTAINED W/O OBJECTION<input type="checkbox"/> TABLED W/O OBJECTION	
---	--

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