

**PUBLIC SAFETY  
AND  
LEGAL ADMINISTRATION COMMITTEE  
MINUTES**

**MARCH 27, 2007**

The regularly scheduled meeting of the Public Safety and Legal Administration Committee was held on **Tuesday, March 27, 2007 at 3:45 p.m., in the Council Chambers**. The following members were present:

**The Honorable Cleta Winslow, Chair  
The Honorable Carla Smith  
The Honorable Anne Fauver  
The Honorable H. Lamar Willis  
The Honorable Joyce Sheperd**

The following member was absent:

**The Honorable C. T. Martin, Vice-Chair**

Others present at the meeting were: Jerry DeLoach and Dianne Mitchell, Law Department; Deputy Chief Carlos Banda, Police Department; Greg Pridgeon, Office of the Mayor, the media, public and council staff.

Chair Cleta Winslow called the meeting to order at 3:45 p.m. after declaring a quorum present. She then proceeded with the following order of business.

**A. ADOPTION OF AGENDA - ADOPTED**

**B. APPROVAL OF MINUTES - APPROVED**

**CONSENT**

**C. RESOLUTIONS**

**Claims with favorable recommendations:**

07-R-0521 ( 1) Claim of **Allstate, as subrogee of Lisa Hadley**, for damages alleged to have been sustained as a result of an automobile accident on May 31, 2005 at 912 Ralph David Abernathy Boulevard. **\$761.98**

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**RESOLUTIONS (CONT'D)**

**Claims with favorable recommendations:**

- 07-R-0522 ( 2)      Claim of **State Farm Insurance Companies, as subrogee of John C. Scott**, for vehicular damages alleged to have been sustained from an automobile accident on September 13, 2006 at Interstate 75 SB and Terrell Mill Road.      **\$3,057.66**
- 07-R-0523 ( 3)      Claim of **Progressive Insurance Companies, as subrogee of Robert Goodman**, for damages alleged to have been sustained as a result of a vehicular accident on November 21, 2006 at 1150 North Avenue.      **\$713.96**
- 07-R-0524 ( 4)      Claim of **State Farm Insurance Companies, as subrogee of Michael Smith**, for damages alleged to have been sustained as a result of a vehicular accident on August 25, 2005 at the intersection of Martin Luther King, Jr. Drive and Central Avenue.      **\$2,558.62**
- 07-R-0525 ( 5)      Claim of **Mac-N-Jac, through its attorney, Henry H. Kwak**, for damages alleged to have been sustained as a result of a vehicular accident on January 9, 2007 at the intersection of Peachtree Road and East Paces Ferry Road.      **\$1,700.31**
- 07-R-526 ( 6)      Claim of **GEICO Direct, as subrogee of Alessandro Salvatori**, for damages alleged to have been sustained as a result of an automobile accident on November 4, 2006 at 2427 Shenandoah Avenue, NE.      **\$2,182.52**
- 07-R-0527 ( 7)      Claim of **State Farm Insurance Companies, as subrogee of Anne Ballance**, for damages alleged to have been sustained as a result of an automobile accident on January 11, 2007 at Peachtree Road and Piedmont Road.      **\$3,300.80**
- 07-R-0528 ( 8)      Claim of **Stephen Savino**, for damages alleged to have been sustained as a result of driving over an unsecured construction cut on May 30, 2006 at 1222 West Marietta Street, NW, Atlanta, GA.      **\$4,539.83**

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**RESOLUTIONS (CONT'D)**

**Claims with favorable recommendations:**

- 07-R-0529 ( 9) Claim of **Latoya C. Smith**, for damages alleged to have been sustained as a result of an automobile accident on November 9, 2006 on Interstate 75/85 southbound. **\$2,583.80**
- 07-R-0530 (10) Claim of **Diyawn R. Jackson, through her attorney, William F. Heitmann, III**, for damages alleged to have been sustained as a result of an automobile accident on August 11, 2006 at Moreland Avenue, SE and Portland Avenue, SE. **\$4,870.00**
- 07-R-0531 (11) Claim of **Luke B. Irwin and Jennifer A. Irwin**, for vehicular damages alleged to have been sustained from an automobile accident on December 18, 2006 at 3120 Maple Drive. **\$1,051.72**
- 07-R-0532 (12) Claim of **Mark Whitworth**, for damages alleged to have been sustained as a result of a vehicular accident on October 27, 2006 at Piedmont Avenue and East Morningside Drive. **\$787.38**
- 07-R-0533 (13) Claim of **Teresa Kemp, through her attorney, Isaac O. Babalola, Esq.**, for bodily injuries alleged to have been sustained from an automobile accident on November 1, 2006 at Forsyth Street and Garnett Street. **\$9,000.00**
- 07-R-0534 (14) Claim of **Kevin Pickett**, for damages alleged to have been sustained as a result of walking into an uncovered water meter box on April 15, 2006 at 64 Little Street. **\$750.00**
- 07-R-0535 (15) Claim of **Sykitia North, through her attorney, Timothy W. Storm, (\$6,686.11) and Georgia Department of Community Health (\$556.80)** for damages alleged to have been sustained as a result of an automobile accident on October 5, 2005 at Boulder Park Drive, SW and Brownlee Road, SW. **\$7,242.91**

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**RESOLUTIONS (CONT'D)**

**Claims with favorable recommendations:**

07-R-0536 (16) Claim of **Rickey Watts, through his attorney, Isaac O. Babalola, Esq.**, for bodily injuries alleged to have been sustained from an automobile accident on November 1, 2006 at Forsyth Street and Garnett Street. **\$6,000.00**

**Claims with unfavorable recommendations:**

07-R-0537 (17) Claim of **Sedgwick CMS, as subrogee of Brenda Anthony**, for damages alleged to have been sustained as a result of personal injuries on September 11, 2006 at the Hartsfield-Jackson Atlanta International Airport.

07-R-0538 (18) Claim of **State Farm Insurance Companies, as subrogee of Meisha Lukerson**, for damages alleged to have been sustained as a result of an automobile accident on September 28, 2006 at 1591 Lakewood Avenue.

07-R-0539 (19) Claim of **Katherine Lee**, for damages alleged to have been sustained as a result of a rock thrown by a dump truck on January 30, 2007 at Interstate 285 East near the Bouldercrest exit.

07-R-0540 (20) Claim of **Ingenix, as subrogee of Wendy Moore**, for damages alleged to have been sustained as a result of personal injuries on June 17, 2006 at the Hartsfield-Jackson Atlanta International Airport.

07-R-0541 (21) Claim of **Carol Manley**, for damages alleged to have been sustained as a result of responding to an emergency call on November 11, 2006 at 330 Macedonia Road, SE.

07-R-0542 (22) Claim of **Larether Colbert**, for damages alleged to have been sustained as a result of driving over a spray can of paint on July 24, 2006 on Northside Drive near Magnolia Street.

07-R-0543 (23) Claim of **James M. Weaver, Jr.**, for damages alleged to have been sustained as a result of striking metal plates on January 26, 2007 at 2440 Peachtree Road, NE.

**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 07-R-0544 (24) Claim of **Kristy Gillmann**, for damages alleged to have been sustained as a result of a water main break during the installation of a sidewalk on June 2, 2006 at 2325 Hurst Drive, NE.
- 07-R-0545 (25) Claim of **Nancy Montgomery**, for damages alleged to have been sustained as a result of a water main break during the installation of a sidewalk on June 6, 2006 at 2340 Hurst Drive, NE.
- 07-R-0546 (26) Claim of **Alfred and Ann Cronin**, for damages alleged to have been sustained as a result of an automobile accident on January 3, 2007 at the intersection of McClendon Avenue, NE and Oakdale Road, NE.
- 07-R-0547 (27) Claim of **Debra Cartledge**, for damages alleged to have been sustained as a result of striking metal plates on January 28, 2007 at 2440 Peachtree Road, NE.
- 07-R-0548 (28) Claim of **Grant C. Becker**, for damages alleged to have been sustained as a result of striking a metal plate on November 29, 2006 on West Peachtree Street, NW.
- 07-R-0549 (29) Claim of **Francis A. McDonough**, for damages alleged to have been sustained as a result of a slip and fall incident on September 7, 2006 at 1861 Peachtree Road.
- 07-R-0550 (30) Claim of **Terrence Smith, Sr.**, for damages alleged to have been sustained as a result of an arrest on October 12, 2005 at Atlanta Municipal Court, 150 Garnett Street.
- 07-R-0551 (31) Claim of **Robert Patman**, for damages alleged to have been sustained as a result of his trash can being destroyed in June 2006 at 740 Tara Circle, SE.
- 07-R-0552 (32) Claim of **Robin Davis**, for damages alleged to have been sustained as a result of a water main break on October 25, 2005 at 665 Cooledge Avenue.

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**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 07-R-0553 (33) Claim of **Janice Handspike**, for damages alleged to have been sustained as a result of an automobile incident on November 4, 2006 at or near 2035 Martin Luther King, Jr. Drive.
- 07-R-0554 (34) Claim of **Liberty Mutual Fire Insurance Company, as subrogee of Karen Talbot**, for unspecified damages allegedly sustained on April 22, 2006 at Oakdale Street.
- 07-R-0555 (35) Claim of **Judith Lind**, for damages alleged to have been sustained as a result of a sewer backup on January 18, 2006 at 3242 Peachtree Road.
- 07-R-0556 (36) Claim of **Ray Mason**, for damages alleged to have been sustained as a result of driving over a low water valve on December 5, 2004 at the intersection of West Peachtree and Linden Avenue.
- 07-R-0557 (37) Claim of **Edward J. Guida**, for damages alleged to have been sustained as a result of driving over a log on February 27, 2004 at 1189 Henrico Road (Live Oak Landfill).
- 07-R-0558 (38) Claim of **MARTA, Office of Risk Management**, for damages alleged to have been sustained as a result of a vehicle accident on August 11, 2006 at 2410 Piedmont Road, NE.
- 07-R-0559 (39) Claim of **Robert T. Parker, IV**, for damages alleged to have been sustained as a result of driving over a collapsed storm sewer grate on August 25, 2006 at 750 Ponce de Leon Place, NE.
- 07-R-0560 (40) Claim of **Joanne Lovett**, for damages alleged to have been sustained as a result of a vehicular incident on August 14, 2006 at 245 Wynwood Drive.  
**(Councilmember Fauver made a motion to approve items C1-C40.)**

**FAVORABLE**

**REGULAR**

**D. ORDINANCES FOR SECOND READING**

07-O-0475 ( 1) An Ordinance by Public Safety and Legal Administration Committee amending the 2006 (Intergovernmental Grant Fund) Budget, Department of Police ("Department"), by adding to anticipations and appropriations, the amount of \$15,572.76, for reimbursement from the United States Drug Enforcement Administration ("DEA"), for overtime worked by the Department's Investigators, assigned to the DEA's Drug Enforcement Task Force; and for other purposes.  
**(Councilmember Smith made a motion to approve.)**

**FAVORABLE**

07-O-0476 ( 2) An Ordinance by Public Safety and Legal Administration Committee to amend the 2006-2007 (Intergovernmental Grant Fund) Budget, City of Atlanta Municipal Court, Community Court Division, by adding to anticipations and appropriations, the amount of \$133,660.00, for grant funds from the Georgia Department of Human Resources, Division of Mental Health, Developmental Disabilities and Addictive Diseases (Metro Regional Office) (Contract #427-93-733-100), for the purpose of continuing Clinical Assessment Services for criminal defendants participating in Community Court; and for other purposes.  
**(Councilmember Smith made a motion to approve.)**

**FAVORABLE**

07-O-0478 ( 3) An Ordinance by Public Safety and Legal Administration Committee amending the 2006 (Intergovernmental Grant Fund) Budget, by transferring remaining funds in the amount of \$15,793.19 from a U.S. Department of Justice Grant, from the Atlanta Municipal Court and Department of Parks, Recreation and Cultural Affairs, to the Atlanta Workforce Development Agency; and for other purposes.  
**(Councilmember Smith made a motion to approve.)**

**FAVORABLE**

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**ORDINANCES FOR SECOND READING (CONT'D)**

- 07-O-0479 ( 4) An Ordinance by Public Safety and Legal Administration Committee amending the 2006 (Intergovernmental Grant Fund) Budget, by transferring remaining funds in the amount of \$4,299.05 from a U. S. Department of Justice Grant, from the Atlanta Municipal Court, to the Office of the Mayor; and for other purposes.  
**(Councilmember Smith made a motion to approve.)**

**FAVORABLE**

**E. RESOLUTION**

- 07-R-0595 ( 1) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to enter into a Lease Agreement with Dekalb County for the rental of the parking Lot Area at the Dekalb Community Service Board located at 23 Warren Street, Atlanta, Georgia 30317, for the Department of Fire and Rescue Engine Company 18, for a period of eighteen (18) months beginning May 1, 2007, at a rental rate of \$1.00 per year to be charged to and paid from Fund, Account and Center Number: 1C49 (2004 G. O. Bond Project Fund) 573001 (Facilities Buildings) W11C024092AK (Fire Station 18); and for other purposes.  
**(Councilmember Willis made a motion to approve.)**

**FAVORABLE**

**F. PAPERS HELD IN COMMITTEE**

- 06-R-0433 ( 1) Claim of **Robert Colgin**, for damages alleged to have been sustained as a result of flooding on July 9, 2005 at 3340 Chatham Road, NW. **(Referred back by Council 2/20/06)**  
**(Held 2/28/06 for further investigation at the request of Councilmember Muller)**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

- 06-O-1044 ( 2) An Ordinance by Councilmembers H. Lamar Willis and C. T. Martin to amend the Code of Ordinances of the City of Atlanta, Georgia, Chapter 162, Article 2, Section 162-61(a) and Chapter 162, Article 2, Section 162-34(f) to allow short breaks in service for Taxicabs; to allow the Chief of Police or his designee, discretion to grant further extension for correction slip matters; to repeal conflicting ordinances; and for other purposes. **(Held 5/9/06 at the request of Councilmember Martin)**
- 06-O-1142 ( 3) An Ordinance by Public Safety and Legal Administration Committee to waive Section 2-1854 of the City of Atlanta Code of Ordinances to allow for the re-appointment of Barney Simms to the License Review Board; and for other purposes. **(Held 6/13/06 for further review)**
- 06-O-1601 ( 4) An Ordinance by Councilman C. T. Martin to amend Article XXIII (Entitled "Vending on Public Property"), Division 1, Section 30-1401, of the Code of Ordinances of the City of Atlanta, Georgia, so as to exempt Disabled Veterans from most of the provisions of the Public Property Vending Code; to waive conflicting ordinances; and for other purposes. **(Held 8/15/06 for further review.)**
- 06-R-1719 ( 5) Claim of **Kay E. Stephensen and Mark T. Gilliland**, for damages alleged to have been sustained as a result of storm water overflow on May 16, 2003 at 1125 Rosedale Drive, NE. **(Held 8/15/06 at request of Councilmember Fauver.)**
- 06-O-1908 ( 6) An Ordinance by Public Safety and Legal Administration Committee amending Chapter 162, Article II, Division 1, Section 162-33 of the Code of Ordinances of the City of Atlanta, Georgia ("City"), on behalf of the Department of Police, Bureau of Taxicabs and Vehicles for Hire ("Department"), for the purpose of increasing the fees the City assesses Taxicab Drivers and Taxicab Companies in order to offset the funding that's provided by the City to subsidize the Department's Operating Budget; to create a Taxicab Re-Inspection Fee; and for other purposes. **(Held 9/12/06 for a work session.)**

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**PAPERS HELD IN COMMITTEE (CONT'D)**

- 06-R-2678 ( 7) Claim of **Richard McDonald**, for damages alleged to have been sustained as a result of the claimant's vehicle having been towed on October 15, 2006 at Mitchell Street and Elliot Street. **(Referred back from Full Council on 01/02/07) (Held 1/9/07 for further review.)**
- 07-O-0078 ( 8) An Ordinance by Councilmember Cleta Winslow **as amended by Full Council** to amend Chapter 30, Article II, Section 30-26 (b), of the City of Atlanta Code of Ordinances, so that meetings of the License Review Board are not held during the month of December; and for other purposes. **(Amended by Full Council and referred back by Council 1/16/07) (Held 1/30/07 so that a copy of the ordinance can be forwarded to the NPU's for review and comment.)**
- 07-O-0249 ( 9) An Ordinance by Councilmembers Kwanza Hall and Cleta Winslow authorizing the Mayor or her designee to grant an exemption to the City's Distance Requirements for on-premise consumption of alcohol and the sale of wine by the package on the 300 block of Walker Street. **(Held 2/13/07 for further review.)**

**G. REQUESTED ITEMS**

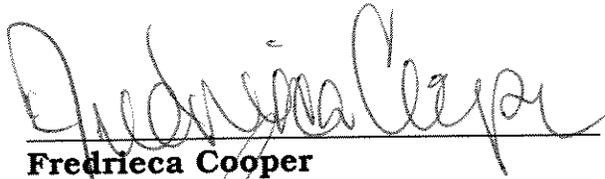
On February 27, 2007, Councilmember Martin made the following requests to the Police Department:

1. A list of names and zone assignments of the last Graduation Class.
2. A list of Cold Case Files maintained by the Department.

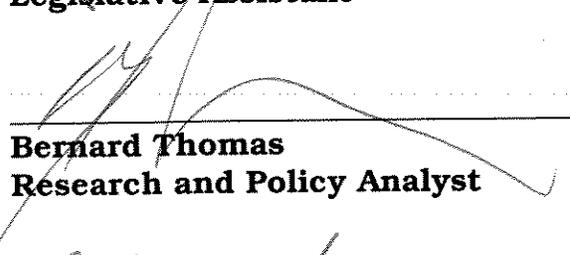
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**There being no further business to come before the Committee, the meeting was adjourned at 4:34 p.m.**

**Respectfully Submitted:**



**Fredrieca Cooper  
Legislative Assistant**



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**Bernard Thomas  
Research and Policy Analyst**



**The Honorable Cleta Winslow, Chair  
Public Safety and Legal Administration Committee**