

**PUBLIC SAFETY
AND
LEGAL ADMINISTRATION COMMITTEE
MINUTES**

OCTOBER 30, 2007

The regularly scheduled meeting of the Public Safety and Legal Administration Committee was held on **Tuesday, October 30, 2007 at 4:10 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 Joyce Sheperd**

The following members were absent:

**The Honorable C. T. Martin, Vice-Chair
The Honorable H. Lamar Willis**

Others present at the meeting were: Councilmember Mary Norwood.; Jerry DeLoach, Amber Robinson and Dianne Mitchell, Law Department; Deputy Chiefs George Turner and Carlos Banda, Major Williams, Director Malachi Hull, Police Department; Deputy Chief Meadows; Atlanta Fire and Rescue Department; Raines Carter, Solicitor; Greg Pridgeon, Derrick Williams, Office of the Mayor the media, public and council staff.

Chair Cleta Winslow called the meeting to order at 4:10 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-2232 (1) Claim of **Darion Archibald and Tyechia L. Keith**, for damages alleged to have been sustained as a result of driving over an unsecured construction cut on March 20, 2007 at 224 Milton Avenue. **\$672.94**

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RESOLUTIONS (CONT'D)

Claims with favorable recommendations:

- 07-R-2233 (2) Claim of **Garry Wilson**, for damages alleged to have been sustained as a result of driving over an unsecured construction cut on July 15, 2007 at 121 Crumley Street. **\$729.73**
- 07-R-2234 (3) Claim of **Chasity Briscoe**, for vehicular damages alleged to have been sustained from an automobile accident on August 7, 2007 at 543 North Central Avenue. **\$846.43**
- 07-R-2235 (4) Claim of **Anthony Bonds**, for damages alleged to have been sustained as a result of an automobile accident on August 13, 2007 at 23 Joseph E. Lowery Boulevard. **\$911.17**
- 07-R-2236 (5) Claim of **Gerald H. Dorris**, for damages alleged to have been sustained as a result of an automobile accident on September 11, 2007 at 157 Berean Avenue, SE. **\$938.70**
- 07-R-2237 (6) Claim of **State Farm Insurance, as subrogee, of Dorothy Boddie**, for damages alleged to have been sustained as a result of a vehicular accident on January 9, 2007 at 3196 Donald L. Hollowell Parkway. **\$2,055.89**
- 07-R-2238 (7) Claim of **Brian J. Hayes**, for damages alleged to have been sustained as a result of an automobile accident on July 17, 2007 at Memorial Drive, SE and Warren Street, SE. **\$2,231.00**
- 07-R-2239 (8) Claim of **Felicia Robles, through her attorney, Bruce A. Hagen**, for damages alleged to have been sustained as a result of an automobile accident on October 27, 2006 at North Eugenia Place and Hollywood Road. **\$3,000.00**
- 07-R-2240 (9) Claim of **Jin Young Kim, through his 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. **\$3,061.91**

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RESOLUTIONS (CONT'D)

Claims with favorable recommendations:

- 07-R-2241 (10) Claim of **Anthony Dillard, through his attorney, Careton Matthews**, for damages alleged to have been sustained as a result of walking on an uncovered water meter box on August 11, 2006 at Magnolia Street near Northside Drive. **\$4,000.00**
- 07-R-2242 (11) Claim of **Patti Pate**, for vehicle damages alleged to have been sustained as a result of the testing of a sewer line on August 13, 2007 at 3069 Rhodenhaven Drive. **\$6,282.60**
- 07-R-2243 (12) Claim of **Pola M. Cooper**, for damages alleged to have been sustained as a result of a water meter leak on July 9, 2006 at 1383 Pollard Drive, SW. **\$8,790.00**

Claims with unfavorable recommendations:

- 07-R-2244 (13) Claim of **Veronica McAlpine**, for damages alleged to have been sustained as a result of driving into a sink hole on March 1, 2007 at the intersection of Paschal Boulevard, SW and Beckwith Street, SW.
- 07-R-2245 (14) Claim of **Joi Zager**, for damages alleged to have been sustained as a result of driving over a recessed water valve on June 14, 2007 at 1374 West Peachtree Street.
- 07-R-2246 (15) Claim of **Tracey Holey, through her attorney, Alfonza Whitaker**, for damages alleged to have been sustained as a result of a vehicle accident on May 27, 2006 at the intersection of Mitchell Street, NE and Washington Street, NE.
- 07-R-2247 (16) Claim of **Siaida Holey, through her attorney, Alfonza Whitaker**, for damages alleged to have been sustained as a result of a vehicle accident on May 27, 2006 at the intersection of Mitchell Street, NE and Washington Street, NE.

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RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 07-R-2248 (17) Claim of **Ernie J. Sutton**, for damages alleged to have been sustained as a result of a vehicle accident at Campbellton Road, SW and Highway 166 on April 11, 2007.
- 07-R-2249 (18) Claim of **William T. Simmons**, for vehicular damages alleged to have been sustained when a rock was thrown from a weed-eater into the rear window of a vehicle on August 10, 2007 at 4260 Northside Drive–Fire Station 27.
- 07-R-2250 (19) Claim of **Michael Wayne Moore, through his attorney, Clint Wilson, Esq., McCollum, Crutchfield , Wilson**, for bodily injuries alleged to have been sustained from a slip and fall incident on April 3, 2007 at 8700 Spine Road, Hartsfield-Jackson Atlanta International Airport.
- 07-R-2251 (20) Claim of **H. Lamar Willis**, for damages alleged to have been sustained as a result of driving over an unsecured construction cut on October 22, 2006 1/4 mile west of 810 Martin Luther King, Jr. Drive.
- 07-R-2252 (21) Claim of **Michelle A. Jones**, for damages alleged to have been sustained as a result of stepping into an open water meter on December 6, 2006 at 3345 Lenox Road.
- 07-R-2253 (22) Claim of **Shea Ryan**, for damages alleged to have been sustained as a result of driving over a metal plate on March 30, 2006 at Gaskill Street and Powell Street.
- 07-R-2254 (23) Claim of **Scott Mayott**, for damages alleged to have been sustained as a result of a sewer backup on December 3 and 18, 2006 at 220 Mozart Court.
- 07-R-2255 (24) Claim of **Virgils Kendrick, through his attorney, Amjad Ibrahim**, for damages allegedly sustained as a result of driving over an unsecured construction cut on April 15, 2007 at 1184 Spring Street.

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RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 07-R-2256 (25) Claim of **Rachel Howard**, for damages alleged to have been sustained as a result of stepping into a hole on June 19, 2006 on Baker Street.
- 07-R-2257 (26) Claim of **Michael Mosley, through his attorney, Jefferson L. Adams**, for damages alleged to have been sustained as a result of an arrest on March 6, 2006 at 3764 Clovis Court.
- 07-R-2258 (27) Claim of **Francisco J. Pizarro, through his attorney, John E. Underwood**, for damages alleged to have been sustained as a result of an arrest on March 23, 2006 at 1255 Collier Road, NW.
- 07-R-2259 (28) Claim of **Shawn Billingsley, through his attorney, Scott Halperin**, for damages alleged to have been sustained as a result of an automobile accident on March 31, 2007 at 600 McWilliams Street.
- 07-R-2260 (29) Claim of **Joan Vernon**, for damages alleged to have been sustained as a result of a sink hole in the roadway on February 21, 2007 at 2310 Marietta Boulevard.
- 07-R-2261 (30) Claim of **Makala Pitts, Calvin E. J. Pitts, Calvin E. J. Pitts, Jr. and Willie G. Pitts, by and through their next friend and natural mother, Lillian Pitts; and Akim Ussery, by and through his next friend and natural mother, Lakeshi Rena Ussery, on behalf of the decedent, Mack Pitts, through their attorney, Alan J. Hamilton, Esq., Butler, Wooten & Fryhofer, LLP**, for fatal bodily injuries alleged to have been sustained from an automobile incident on June 14, 2007 at Hartsfield-Jackson Atlanta International Airport.
- 07-R-2262 (31) Claim of **Cynthia D. Morris**, for damages alleged to have been sustained as a result of driving through a construction area on April 26, 2007 at Monroe Drive between 8th Street and 10th Street.

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RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 07-R-2263 (32) Claim of **Terrence Daniels, through his attorney, M. Michael Kendall**, for damages alleged to have been sustained as a result of being arrested on April 30, 2006 at Hartsfield-Jackson Atlanta International Airport.
- 07-R-2264 (33) Claim of **L. Patricia F. Riley**, for property damages alleged to have been sustained from a sewer backup on July 16, 2007 at 3872 Wisteria Lane.
- 07-R-2265 (34) Claim of **George W. Berry**, for property damages alleged to have been sustained when a back hoe damaged an awning on May 21, 2007 at 751 Gaskill Street, SE.
- 07-R-2266 (35) Claim of **Betty Hicks**, for damages alleged to have been sustained as a result of a slip and fall incident on December 26, 2004 on Headline Drive.
- 07-R-2267 (36) Claim of **Morris D. McCray**, for damages alleged to have been sustained as a result of striking a recessed storm drain on January 2, 2007 at Lee Street and Donnelly Avenue.
- 07-R-2268 (37) Claim of **Karen A. Mobley**, for damages alleged to have been sustained as a result of striking a manhole on March 8, 2007 at 1192 Pryor Street.
- 07-R-2269 (38) Claim of **Momodou Drammeh, through his attorney, Rita Tucker Williams**, for damages alleged to have been sustained as a result of a trip and fall incident on January 13, 2007 at 1776 Cheshire Bridge Road.
- 07-R-2270 (39) Claim of **Gray Gunter**, for damages alleged to have been sustained as a result of striking a catch basin on March 15, 2007 at 1009 Marietta Street.
- 07-R-2271 (40) Claim of **Camp Creek Investment Venture Limited, through its attorney, Stuart Teague**, for damages alleged to have been sustained as a result of sewer line maintenance on an on-going basis at 3200 Stone Road.

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RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 07-R-2272 (41) Claim of **Marvin A. Richardson**, for damages alleged to have been sustained as a result of attorney fees incurred in defense of a criminal action on July 26, 2007 at 2640 Jonesboro Road, SE.
- 07-R-2273 (42) Claim of **Raymond Hong, a minor and his guardians, Patricia and Lingde Hong, through their attorney, M Gino Brogdon, Sr.**, for damages alleged to have been sustained as a result of a fall on February 24, 2007 at 2220 Lake Boulevard.
- 07-R-2274 (43) Claim of **Venessa Kendall**, for damages alleged to have been sustained as a result of a trip and fall on May 13, 2007 at 395 Piedmont Avenue, NE.
- 07-R-2275 (44) Claim of **Janet Baty**, for damages alleged to have been sustained as a result of a trip and fall on March 18, 2007 at the Hartsfield-Jackson Atlanta International Airport.
- 07-R-2276 (45) Claim of **Derrick Patterson, through his attorney, Steven Gardner**, for damages alleged to have been sustained as a result of an automobile accident on July 19, 2007 at the intersection of South Stone Mountain-Lithonia Road and Coffee Road.
- 07-R-2277 (46) Claim of **Andrea Mayfield**, for damages alleged to have been sustained as a result of driving over an uncovered manhole on July 11, 2007 at Erin Avenue and Metropolitan Parkway.
- 07-R-2278 (47) Claim of **Balfour D. Correll**, for damages alleged to have been sustained as a result of driving over a pothole on April 10, 2007 at 3525 Piedmont Road.
- 07-R-2279 (48) Claim of **Esther Woltz**, for damages alleged to have been sustained as a result of the installation of a sewer line during 2006 and 2007 at 732 Brookline Street.

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RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 07-R-2280 (49) Claim of **Vincent M. Greiner**, for damages alleged to have been sustained as result of an automobile accident on August 2, 2007 at Monroe Drive, NE and Piedmont Avenue, NE.
- 07-R-2281 (50) Claim of **Deborah Geotz, through her attorney, Noel Benedict**, for damages alleged to have been sustained as a result of an automobile accident on June 1, 2006 at Lee Street near Campbellton Road.
- 07-R-2282 (51) Claim of **Jeff Denkins**, for damages alleged to have been sustained as a result of striking a sewer manhole on July 26, 2007 at 9 McDonough Boulevard.
- 07-R-2283 (52) Claim of **Shari Youngblood**, for damages alleged to have been sustained as a result of slipping and falling on August 22, 2007 at the intersection of 10th and Atlantic Streets.
- 07-R-2284 (53) Claim of **Lea O'Neal**, for damages alleged to have been sustained as a result of storm water overflow at 219 Hermer Circle, NW.
- 07-R-2285 (54) Claim of **Lea O'Neal**, for damages alleged to have been sustained as a result of storm water overflow on June 28, 2005 and July 19, 2005 at 219 Hermer Circle, NW.
- 07-R-2286 (55) Claim of **Ke'vis Pledger, through his attorney, Alfonza Whitaker**, for damages alleged to have been sustained as a result of a vehicle accident on May 27, 2006 at the intersection of Mitchell Street, NE and Washington Street, NE.
- 07-R-2287 (56) Claim of **Allstate Insurance Companies, as subrogee for Roberto S. Hardy**, for damages alleged to have been sustained as a result of a vehicle accident on May 27, 2006 at the intersection of Mitchell Street, NE and Washington Street, NE.

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RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 07-R-2288 (57) Claim of **Roberto S. Hardy, through his attorney, Alfonza Whitaker**, for damages alleged to have been sustained as a result of a vehicle accident on May 27, 2006 at the intersection of Mitchell Street, NE and Washington Street, NE.
- 07-R-2289 (58) Claim of **Eric Smith, II**, for damages allegedly sustained as a result of driving over an unsecured metal plate on January 31, 2007 at Shelton Avenue and Metropolitan Parkway.
(Councilmember Fauver made a motion to approve Items C1-C58)

FAVORABLE

D. ORDINANCES FOR FIRST READING

- 07-O-2174 (1) An Ordinance by Public Safety and Legal Administration Committee to amend the 2007 (Intergovernmental Grant Fund) Budget, Department of the Mayor, by adding to anticipations and appropriations, the amount of \$175,000.00 from the Department of Justice Community Capacity Development Office, and matching funds from the City of Atlanta in an amount not to exceed \$125,000.00 for a total of \$300,000.00 for the implementation of the Weed and Seed strategy in the English Avenue Community; and for other purposes.

TO BE REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

- 07-O-2175 (2) An Ordinance by Public Safety and Legal Administration Committee to amend the 2007 (Intergovernmental Grant Fund) Budget, Department of the Mayor, by adding to anticipations and appropriations, the amount of \$200,000.00 from the Department of Justice Community Capacity Development Office and matching funds from the City of Atlanta in an amount not to exceed \$150,000.00 for a total of \$350,000.00 for the continuation of the Weed and Seed strategy in the Vine City Community; and for other purposes.

TO BE REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

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ORDINANCES FOR FIRST READING (CONT'D)

07-O-2186 (3) An Ordinance by Public Safety and Legal Administration Committee to amend the 2007 (Intergovernmental Grant Fund) Budget, Department of the Mayor, by transferring the remaining U. S. Department of Justice Grant Funds and Administrative Operations from the Office of the Mayor to Atlanta Workforce Development Agency (AWDA), in an amount not to exceed \$65,433.01; and for other purposes.

TO BE REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

07-O-2187 (4) An Ordinance by Public Safety and Legal Administration Committee to amend the Code of Ordinances of the City of Atlanta, Georgia, Chapter 162, Article II, Sections 162-77(6) and 162-78(A)(6) so as to specifically allow companies and third parties that employ individuals otherwise employed by the City of Atlanta to administer New Driver and Annual Training Courses; and for other purposes.

TO BE REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

07-O-2188 (5) An Ordinance by Public Safety and Legal Administration Committee rescinding Ordinance Number 05-O-1059 and amending the 2005 (Intergovernmental Grant Fund) Budget, Department of Police, by adding to anticipations and appropriations, the amount of \$3,519,385.00 for grant funds from the White House Office of National Drug Control Policy for continuation of the High Intensity Drug Trafficking Area (HIDTA) Task Force and continue disruption of Drug Trafficking Organizations; and for other purposes.

TO BE REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

ORDINANCES FOR FIRST READING (CONT'D)

07-O-2290 (6) An Ordinance by Public Safety and Legal Administration Committee amending the 2008 (Intergovernmental Grant Fund) Budget for the City of Atlanta Municipal Court, Community Court Division, by adding to anticipations and appropriations, the amount of \$133,660.00, from the Georgia Department of Human Resources, Division of Mental Health, Developmental Disabilities and Addictive Diseases, Metro Regional Office ("DHR") for the purpose of continuing Clinical Assessment Services for Criminal Defendants participating in Community Court; and for other purposes.

TO BE REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

07-O-2291 (7) An Ordinance by Public Safety and Legal Administration Committee amending the 2008 (Intergovernmental Grant Fund) Budget, City of Atlanta Municipal Court, Community Court Division, by adding to anticipations and appropriations, the amount of \$46,200.00, for Grant Fund from the Governor's Office of Highway Safety, for the purpose of expanding the "Teens Learning Control Program" ("TLC"); and for other purposes.

TO BE REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

REGULAR

E. PUBLIC HEARING - ORDINANCE FOR SECOND READING

07-O-1879 (1) An Ordinance by Public Safety and Legal Administration Committee to revise the City of Atlanta Code of Ordinances pertaining to secondary metal recyclers by amending the following Sections of Chapter 122, Article V, Divisions I and II; Section 122-151 (Definitions); Section 122-152 (Records Required); and Section 122-157 (Unlawful Acts); Section 122-171 (Required Application); to add the following new Sections to Chapter 122, Article V, Divisions I and II of the City of Atlanta Code of Ordinances: Section 122-158 (Daily

ORDINANCE FOR SECOND READING (CONT'D)

Written Report to Police); Section 122-159 (Offenses; Defenses, Penalty); Section 122-160 (Possessor of Secondary Metals); Section 122-161 (License to Possess Secondary Metals); Section 122-162 (Revocation of License to Possess Secondary Metals); and Section 122-170 (Processing Application; Issuance of License, Possessor of Secondary Metals); to waive conflicting ordinances; and for other purposes. **(Public Hearing held on 10/30/07)
(Councilmember Smith made a motion to hold.)**

HELD

F. COMMUNICATIONS

07-C-2182 (1) A Communication by Mayor Shirley Franklin re-appointing **Mr. J. C. Love, III** to serve as a Taxicabs & Vehicles for Hire Hearing Officer for the City of Atlanta. This re-appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.
(Councilmember Smith made a motion to hold.)

HELD

07-C-2183 (2) A Communication by Mayor Shirley Franklin re-appointing **Mr. Timothy J. Santelli** to serve as a Taxicabs & Vehicles for Hire Hearing Officer for the City of Atlanta. This re-appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.
(Councilmember Smith made a motion to approve.)

FAVORABLE - REFERRED TO COMMITTEE ON COUNCIL

07-C-2184 (3) A Communication by Mayor Shirley Franklin re-appointing **Mr. C. Cooper Knowles** to serve as a Taxicabs & Vehicles for Hire Hearing Officer for the City of Atlanta. This re-appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation.
(Councilmember Smith made a motion to approve.)

FAVORABLE - REFERRED TO COMMITTEE ON COUNCIL

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F. ORDINANCES FOR SECOND READING

07-O-2122 (1) An Ordinance by Public Safety and Legal Administration Committee transferring Developmental Impact Fees from Fund, Account and Center Number: 1C28 792001 T31X04109991 in the amount of \$562,330.00, to Fund, Account and Center Number: 1C28 774001 W11C021392AK for the construction of Fire Station 13 and \$369,678.00 to Fund, Account and Center Number: 1C28 774001 W11C024092AK for construction of Fire Station 18, for a total \$932,008.00; and for other purposes.
(Councilmember Smith made a motion to approve.)

FAVORABLE

07-O-2123 (2) An Ordinance by Public Safety and Legal Administration Committee to amend Chapter Ten Entitled "Alcoholic Beverages" of the Code of Ordinances of the City of Atlanta, and revise Article II, Division 3, Section 10-127 to require that applications for temporary Liquor License Permits issued for Special Events be submitted to the Atlanta Police Department at least thirty days prior to the date of the Special Event; and for other purposes.
(Councilmember Sheperd made a motion to approve.)

FAVORABLE

07-O-2215 (3) An Ordinance by Councilmembers Cleta Winslow, Kwanza Hall, Ceasar C. Mitchell and Ivory L. Young, Jr. **as amended by Public Safety and Legal Administration Committee** to amend Section 150-296(a)(2), (Entitled "Cruising on Public Streets") of the Code of Ordinances of the City of Atlanta, Georgia, so as to add certain streets located in the Castleberry Hills Community to the City's "No Cruising" Ordinance; and for other purposes.
(Councilmember Sheperd made a motion to approve as amended.)

FAVORABLE AS AMENDED

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G. RESOLUTIONS

07-R-2189 (1) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor or her designee to accept a stock donation not to exceed \$10,000.00 from Martha Caldwell on behalf of the City of Atlanta Fire and Rescue Department, for the purpose of installing an elevator in Fire Station #21 located at 3201 Roswell Road; and for other purposes.
(Councilmember Smith made a motion to approve.)

FAVORABLE

07-R-2190 (2) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to enter into an appropriate contractual agreement with Mooney Construction, Inc., for FC-6007000024, Construction Fire Station 13 and 18, on behalf of the Atlanta Fire and Rescue Department, in an amount not to exceed \$5,198,191.00; all contracted work shall be charged to and paid from Various Fund Account and Center Numbers; and for other purposes.
(Councilmember Smith made a motion to approve.)

FAVORABLE

07-R-2199 (3) A Resolution by Public Safety and Legal Administration Committee authorizing payment in the amount of \$152,000.00 from Various Fund, Account and Center Numbers, to North Greenville Fitness & Cardiac Rehabilitation Clinic, Inc. for services performed in support of the Fire and Rescue Department's Wellness Program.
(Councilmember Smith made a motion to approve.)

FAVORABLE

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RESOLUTIONS (CONT'D)

- 07-R-2200 (4) A Resolution by Public Safety and Legal Administration Committee authorizing the settlement of all claims in the case of Janaya Davis v. City of Atlanta and Dennis Rubin, United States District Court for the Northern District of Georgia, Civil Action File No. 1:06-CV-2818-JTC-JFK, in the amount of \$85,000.00; authorizing said payment to be charged to and paid from Fund 1A01 (General Fund), Account 529017 (Property Liquidation) and Center Number T31001 (Non-Departmental); authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.
(Councilmember Sheperd made a motion to approve.)

FAVORABLE

- 07-R-2293 (5) A Resolution by Public Safety and Legal Administration Committee authorizing the settlement of all claims against the City of Atlanta in the case of Luvenia Fluellen v. City of Atlanta Georgia, et al., Superior Court, Fulton County, Civil Action File No. 2007CV134643, in the amount of \$5,020.00; authorizing said payment to be charged to and paid from Fund 1A01 (General Fund), Account 529017 (Property Liquidation) and Center Number T31001 (Non-Departmental); authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.
(Councilmember Sheperd made a motion to approve.)

FAVORABLE

- 07-R-2294 (6) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to approve or reject the decision of the evaluator presiding in the early neutral evaluation process, an alternative dispute resolution process, in the matter of Veolia Water North America Operating Services, LLC v. City of Atlanta, in the U.S. District Court, Northern District of Georgia, Civil Action No. 06-CV-1457-TWT; and for other purposes.
(Councilmember Winslow made a motion to hold for further review)

HELD

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RESOLUTIONS (CONT'D)

- 07-R-2295 (7) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor or her designee to apply for and accept a \$171,200.00 grant from the Governor's Office of Highway Safety fund for the purpose of funding the Car Seat Fitting Station Program developed by the Atlanta Fire and Rescue Department; and for other purposes. **(Councilmember Smith made a motion to approve.)**

FAVORABLE

H. 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)**
- 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)**

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PAPERS HELD IN COMMITTEE (CONT'D)

- 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-O-1908 (5) 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)**
- 07-O-0078 (6) 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 (7) 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.)**

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PAPERS HELD IN COMMITTEE (CONT'D)

- 07-R-0545 (8) 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. **(Referred back from Council 4/16/07) (Held 5/1/07 at the request of Councilmember Shook.)**
- 07-O-1522 (9) An Ordinance by Councilmembers Anne Fauver and Natalyn Archibong to amend Chapter 18, Article I, of the Code of Ordinances of the City of Atlanta, so as to prohibit the practice of inhumanely chaining or tethering dogs; and for other purposes. **(Held 7/31/07 at the request of the author for further review.)**
- 07-O-1525 (10) An Ordinance by Councilmember Joyce Sheperd to amend Section 122-172 under Chapter 122, Article V, Division 2, of the Code of Ordinances, so as to provide for a review by the affected Neighborhood Planning Unit(s) whenever an application for a license to operate a Secondary Metal Recycler is submitted; and for other purposes. **(Held 7/31/07 at the request of the author for further review. 9/25/07 a motion was approved to forward to the NPU's for review.)**
- 07-O-1526 (11) An Ordinance by Councilmember Joyce Sheperd to amend Section 30-1503(a) under Chapter 30, Article XXV, of the Code of Ordinances, so as to provide for a review by the affected Neighborhood Planning Unit(s) whenever an application for a license to operate a Self-Service Car Wash is submitted; and for other purposes. **(Held 7/31/07 at the request of the author for further review. 9/25/07 a motion was approved to forward to the NPU's for review.)**

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PAPERS HELD IN COMMITTEE (CONT'D)

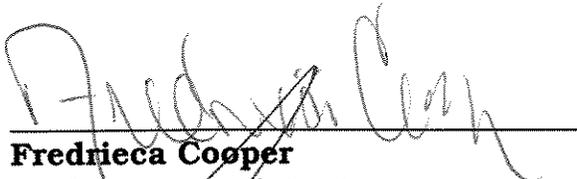
- 07-O-1795 (12) An Ordinance by Councilmember H. Lamar Willis to establish Chapter 21 of the Code of Ordinances of the City of Atlanta entitled "Transportation of Hazardous Materials"; to create a new Article I to be entitled "Terrorism Prevention in Hazardous Materials Transportation Act of 2007," to create a new Division 1 to be entitled "Terrorism Prevention in Hazardous Materials Transportation Act of 2007"; so as to prohibit large shipments of certain extremely hazardous materials near the City of Atlanta in an effort to reduce the risk of attacks by terrorists; to allow for the issuance of permits authorizing such shipments in special cases; to require the Mayor to issue regulations to implement the provisions of this act; and for other purposes. **(Held 8/28/07 for further review.)**
- 07-O-1800 (13) An Ordinance by Councilmembers C. T. Martin, Ceasar C. Mitchell, H. Lamar Willis, Ivory L. Young, Jr. and Joyce Sheperd **as substituted by Public Safety and Legal Administration Committee** to create Section 106-13 of the Code of Ordinances of the City of Atlanta, Georgia to be entitled "Wearing of Pants Below the Waist in Public, Unlawful"; to waive conflicting ordinances; and for other purposes. **(Held 8/28/07 at the request of the author for a work session and a public hearing.) (Substituted and held 9/11/07)**
- 07-O-1905 (14) An Ordinance by Councilmember Mary Norwood to amend Article XXIV vending on Private Property; and for other purposes. **(Held 9/11/07 at the request of the Law Department)**
- 07-O-2137 (15) An Ordinance by Councilmembers Ceasar C. Mitchell, Ivory L. Young, Jr., C. T. Martin, Joyce Sheperd and Natalyn Archibong to create Section 98-26.1 of the Code of Ordinances of the City of Atlanta, Georgia to be entitled "Community Policing Training And Preparedness" (CoPTAP) Program which shall require that all members of each class of graduates from the Police Academy, beginning with Class Number 200, be assigned to foot patrol duty for a period of not less than six months, in the two Police Zones which have

PAPERS HELD IN COMMITTEE (CONT'D)

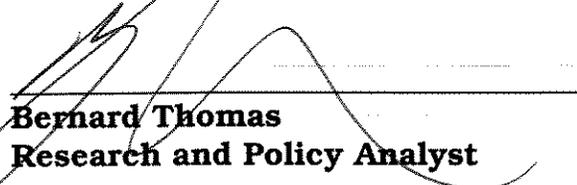
experienced the most significant increase in the rate of crime and/or having the highest crime rate, with each subsequent class being split in half and so assigned to each remaining zone based upon the same criteria and in the same manner in descending order, until all six Police Zones have experienced the benefit of the CoPTAP Program; to provide that after the CoPTAP Program has been implemented in all six zones, it may be renewed and permanently implemented by subsequent action of the City Council; to waive all ordinances, rules, regulations, policies, practices and procedures in conflict herewith; and for other purposes. **(Held 10/9/07 for further review.)**

There being no further business to come before the Committee, the meeting was adjourned at 5:35 p.m.

Respectfully Submitted:



Fredrieca Cooper
Legislative Assistant



Bernard Thomas
Research and Policy Analyst



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