

**PUBLIC SAFETY
AND
LEGAL ADMINISTRATION COMMITTEE
MINUTES**

APRIL 29, 2008

The regularly scheduled meeting of the Public Safety and Legal Administration Committee was held on **Tuesday, April 29, 2008 at 4:51 p.m., in the Council Chambers**. The following members were present:

**The Honorable Cleta Winslow, Chair
The Honorable C. T. Martin, Vice-Chair
The Honorable Anne Fauver
The Honorable Joyce Sheperd**

The following members were absent:

**The Honorable Carla Smith
The Honorable H. Lamar Willis**

Others present at the meeting were: Councilmember Felicia A. Moore, District 9; Jerry Deloach, and Amber Robinson, Law Department; Sgt. Ellis Williams and Officer J. English, Corrections; James Dangerfield, Public Defenders Office; the media, public and council staff.

Chair Cleta Winslow called the meeting to order at 4:51 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:

08-R-0745 (1) Claim of **Charles Brown, through his attorney, Ben Gerber**, for damages alleged to have been sustained as a result of a slip and fall incident in an uncovered catch basin on May 9, 2007 at 2365 Browns Mill Road, SE. **\$15,000.00**

C. RESOLUTIONS (CONT'D)

Claims with favorable recommendations:

- 08-R-0746 (2) Claim of Victoria A. Seifarth, for property damages alleged to have been sustained from a sewer backup on June 11, 2007 at 1548 Walthall Court. \$13,958.18
- 08-R-0747 (3) Claim of Francine Jefferson, for bodily injuries alleged to have been sustained after tripping over an uneven section of sidewalk on March 23, 2006 at 61 Forsyth Street. \$13,068.40
- 08-R-0748 (4) Claim of Veronica Houston Moore, through her attorney, Louie Barrington Hendricks, Esq., for bodily injuries alleged to have been sustained after tripping over an uneven section of sidewalk on May 2, 2006 at 61 Forsyth Street. \$12,000.00
- 08-R-0749 (5) Claim of Antonio Williams, through his attorneys, Ramsey & Norman, LLC, for bodily injuries alleged to have been sustained due to an automobile accident on December 13, 2007 at 511 Harper Road, SE. \$7,000.00
- 08-R-0750 (6) Claim of Kinnette Richardson, through her attorney, Hart Law Firm, for bodily injuries alleged to have been sustained from a police vehicular incident on June 27, 2007 at Centennial Park Drive, NW and Marietta Street, NW. \$6,500.00
- 08-R-0751 (7) Claim of Claudia Williams, through her attorneys, Ramsey & Norman, LLC, for bodily injuries alleged to have been sustained due to an automobile accident on December 13, 2007 at 511 Harper Road, SE. \$5,800.00
- 08-R-0752 (8) Claim of Progressive, as subrogee of Delores Wallace-Dickers for damages alleged to have been sustained as a result of an automobile accident on December 17, 2007 at Central Avenue and Garnett Street. 5,631.72

C. RESOLUTIONS (CONT'D)

Claims with favorable recommendations:

- 08-R-753 (9) Claim of **Hartford Accident & Indemnity, as subrogee of Anthony Sims**, for property damages alleged to have been sustained due to an automobile accident on November 27, 2007 at Donald Lee Hollowell Parkway, NW and Northside Drive NW. **\$5,232.43**
- 08-R-0754 (10) Claim of **Progressive Insurance Company, as subrogee of Jeffrey Fears**, for damages alleged to have been sustained as a result of a vehicular accident on December 6, 2007 at 210 North Avenue. **\$4,801.70**
- 08-R-0755 (11) Claim of **Frank Lewis, Jr.**, for property damages alleged to have been sustained due to an automobile accident on March 6, 2008 at 1339 Gaston Street. **\$4,616.08**
- 08-R-0756 (12) Claim of **Steve Coulter**, for property damages alleged to have been sustained when a water line was unnecessarily replaced on November 13, 2007 at 295 Mathews Avenue, NE. **\$2,600.00**
- 08-R-0757 (13) Claim of **Willie Crews**, for damages alleged to have been sustained as a result of a vehicular accident on January 16, 2008 at North Avenue and Luckie Street. **\$2,324.18**
- 08-R-0758 (14) Claim of **Cynthia Spencer**, for damages alleged to have been sustained as a result of a vehicular accident on February 7, 2008 at Lindbergh Drive and Morosgo Way. **\$2,317.38**
- 08-R-0759 (15) Claim of **Anita Best**, for property damages alleged to have been sustained due to an automobile accident on January 22, 2008 at 2425 Peachtree Road, NE. **\$2,298.26**
- 08-R-0760 (16) Claim of **Barbara R. Misel**, for damages alleged to have been sustained from an automobile accident on January 24, 2008 at Howell Mill Road and Chattahoochee Avenue. **\$1,690.30**

C. RESOLUTIONS (CONT'D)

Claims with favorable recommendations:

- 08-R-0761 (17) Claim of **Bobby T. Grant**, for property damages alleged to have been sustained when a vehicle drove over a construction plate that was partially covering a construction site on February 8, 2008 at 1144 Austin Avenue, NE.
\$1,674.87
- 08-R-0762 (18) Claim of **Pamela Weaver**, for bodily injuries alleged to have been sustained after tripping over an uneven section of sidewalk on September 13, 2007 at 55 Trinity Avenue, SW.
\$1,548.80
- 08-R-0763 (19) Claim of **Chiquita Williams**, for vehicle damages alleged to have been sustained as a result of driving over a recessed water valve on January 7, 2007 at Metropolitan Parkway and University Avenue.
\$1,450.00
- 08-R-0764 (20) Claim of **Arlandus Sumlin, Jr.**, for damages alleged to have been sustained as a result of driving over an unsecured construction cut on January 25, 2008 at 3956 Bakers Ferry Road, SW.
\$1,437.50
- 08-R-0765 (21) Claim of **Honey J. Rubin**, for property damages alleged to have been sustained from automobile accident on February 29, 2008 at Northside Drive, NW and Hemphill Avenue, NW.
\$1,276.55
- 08-R-0766 (22) Claim of **James Scott and Cynthia D. Scott**, for vehicular damages alleged to have been sustained when ice fell from the City's Radio Tower on January 17, 2008 at 315 Chester Avenue, SE.
\$1,152.27
- 08-R-0767 (23) Claim of **State Farm Insurance Companies, as subrogee of Austin Eades**, for damages alleged to have been sustained as a result of driving over an unsecured metal plate on September 29, 2007 at West Paces Ferry Road and Peachtree Road.
\$1,016.81

C. RESOLUTIONS (CONT'D)

Claims with favorable recommendations:

- 08-R-0768 (24) Claim of **Beverly Drake and Rosa Drake**, for damages alleged to have been sustained as a result of driving over a pothole on September 15, 2007 at 1970 Hill Avenue. **\$976.93**
- 08-R-0769 (25) Claim of **Michael Brad Hutto**, for damages alleged to have been sustained as a result of driving over a pothole on September 20, 2007 at 1970 Hills Avenue. **\$862.88**
- 08-R-0770 (26) Claim of **Marstine Johnson**, for property damages alleged to have been sustained due to an automobile accident on February 21, 2008 at 6690 Church Street. **\$730.00**
- 08-R-0771 (27) Claim of **Donte' Stallings**, for property damages alleged to have been sustained when a vehicle drove over a construction plate that was partially covering a construction site on January 20 2008 at Andrew Young International Boulevard, NW and Williams Street, NW. **\$729.34**

Claims with unfavorable recommendations:

- 08-R-0772 (28) Claim of **Kevin S. Dale, attorney for Aubrey Antonio Zellers, deceased**, for damages alleged to have been sustained during a foot chase with police that resulted in the death of Aubrey Antonio Zellers on October 11, 2006 at 286 Old Hapeville Road.
- 08-R-0773 (29) Claim of **Adam Smart**, for damages alleged to have been sustained as a result of striking a metal plate on February 5, 2008 at 2738 Memorial Drive, SE.
- 08-R-0774 (30) Claim of **Susan I. Cole**, for vehicular damages alleged to have been sustained from striking a traffic median in the roadway on October 19, 2007 at 424 Lindbergh Drive, NE.

C. RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 08-R-0775 (31) Claim of Clayton County Board of Commissioners c/o Cheryl White, Risk Management Department, Property and Casualty Claims, for property damages alleged to have been sustained from an automobile accident on February 28, 2007 at 1500 Mt. Zion Road.
- 08-R-0776 (32) Claim of James J. Norman, for damages alleged to have been sustained as a result of driving over an unsecured metal plate on December 30, 2007 at 1374 West Peachtree Street.
- 08-R-0777 (33) Claim of Syed Bokhari, for damages alleged to have been sustained as a result of driving through an unsecured construction area on April 16, 2007 at the intersection of Piedmont Avenue and Monroe Drive.
- 08-R-0778 (34) Claim of Edward Nelms, for damages alleged to have been sustained as a result of driving over a construction cut on October 23, 2007 at 1622 Perry Boulevard.
- 08-R-0779 (35) Claim of Atlanta Gas Light Company, through their attorney, John C. Williams, for damages alleged to have been sustained as a result of gas line damage during excavation on June 6, 2007 at 691 Woodward Way.
- 08-R-0780 (36) Claim of Christina Thomas, for damages alleged to have been sustained as a result of driving over a recessed manhole on December 16, 2007 at 1700 Monroe Drive.
- 08-R-0781 (37) Claim of Will Pope, for damages alleged to have been sustained as a result of driving over a raised manhole on July 26, 2007 at Lake Avenue and Elizabeth Street.
- 08-R-0782 (38) Claim of Antoinetta Otey, for damages alleged to have been sustained as a result of an automobile accident on November 15, 2007 at North Avenue and Courtland Street.

C. **RESOLUTIONS (CONT'D)**

Claims with unfavorable recommendations:

- 08-R-0783 (39) Claim of **Anne Mankin**, for damages alleged to have been sustained during the installation of a sidewalk on October 17, 2007 at 4059 Land O' Lakes Drive, NE.
- 08-R-0784 (40) Claim of **Deborah Eberhart**, for damages alleged to have been sustained as a result of striking a construction cut on February 4, 2008 at 2738 Memorial Drive, SE.
- 08-R-0785 (41) Claim of **Verline Ivie**, for property damages alleged to have been sustained when police failed to secure a purse after an arrest on October 6, 2007 at 2848 Mango Circle, NW.
- 08-R-0786 (42) Claim of **Christine Shaner**, for damages alleged to have been sustained as a result of an automobile accident on October 18, 2007 at McClendon Avenue, NE and Glendale Avenue, NE.
- 08-R-0787 (43) Claim of **Donald C. Bradshaw**, for damages alleged to have been sustained as a result of striking a construction cut on February 11, 2008 at 2456 Marietta Boulevard.
- 08-R-0788 (44) Claim of **Melanie DeJean**, for damages alleged to have been sustained as a result of striking a construction cut on August 19, 2007 at 5990 Old National Highway and Lantern Lane.
- 08-R-0789 (45) Claim of **Charles Mizell**, for vehicular damages alleged to have been sustained from driving over an open construction site in the roadway on December 29, 2007 at North Avenue and Parkway Drive, NE.
- 08-R-0790 (46) Claim of **State Farm Insurance Companies, as subrogee of Bertha M. Maddox**, for vehicular damages alleged to have been sustained from an automobile accident on October 18, 2007 at Moores Mill Road and Warren Road.

C. RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 08-R-0791 (47) Claim of **Lance D. Christian**, for property damages alleged to have been sustained when a tree fell on a residence on February 26, 2008 at 901 Penn Avenue.
- 08-R-0792 (48) Claim of **Clarence Rogers**, for property damages alleged to have been sustained when a gate struck a vehicle on February 26, 2008 at 315 Chester Avenue, SE.
- 08-R-0793 (49) Claim of **Tasha R. Henry**, for vehicular damages alleged to have been sustained from driving over a pothole on February 1, 2008 at the entrance ramp to Interstate 85 north.
- 08-R-0794 (50) Claim of **Grady W. Goodwin**, for property damages alleged to have been sustained due to a vehicular accident on August 3, 2007 at Moreland Avenue and South River Industrial Boulevard, SE.
- 08-R-0795 (51) Claim of **Sherri McIntyre**, for damages alleged to have been sustained as a result of repaving of the street on April 24, 2007 at 2864 North Hills Drive.
- 08-R-0796 (52) Claim of **Belinda Gallant, through her attorney, Dana M. Harris-Abraham**, for damages alleged to have been sustained as a result of a trip and fall incident on an unsecured sewer manhole lid on December 12, 2007 at 50 Mount Zion Road.
- 08-R-0797 (53) Claim of **Henry Boughner**, for damages alleged to have been sustained as a result of striking a metal plate on January 23, 2008 at 2166 Peachtree Road, NW and Colonial Homes Drive, NW.
- 08-R-0798 (54) Claim of **Paul Halley**, for damages alleged to have been sustained as a result of striking a construction cut on September 4, 2007 on Pryor Street.

C. RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 08-R-0799 (55) Claim of **Kimberly Goodin**, for damages alleged to have been sustained as a result of a tree falling on February 27, 2008 at 1060 Cascade Circle.
- 08-R-0800 (56) Claim of **State Farm Insurance Companies, as subrogee of Christopher Hough**, for damages allegedly sustained as a result of driving over an unsecured metal plate on December 22, 2007 at Butner Road and Pittman Road.
- 08-R-0801 (57) Claim of **Ulis C. Martin, Jr.**, for damages alleged to have been sustained as a result of a theft on January 21, 2008 at 315 Chester Avenue.
- 08-R-0802 (58) Claim of **Sarah French**, for damages alleged to have been sustained to an invisible fence during the repair of a water meter on February 11, 2008 at 3095 Dale Drive.
- 08-R-0803 (59) Claim of **Cincinnati Insurance, as subrogee of G. L. Bailey Plumbing Co., through its attorney, Bernard F. Kistler, Jr.**, for damages alleged to have been sustained as a result of an automobile accident on July 6, 2007 at 1715 Howell Mill Road.
- 08-R-0804 (60) Claim of **Mary R. Flemister**, for damages alleged to have been sustained as a result of striking an unsecured manhole lid at Willis Mill Road and Poole Road.
- 08-R-0805 (61) Claim of **WW/CI Ponce Place, LLC, through its attorney, John E. Robinson, Esq.**, for damages alleged to have been sustained from storm water overflow on August 31, 2006 at 750 Ponce de Leon Avenue, NE.
- 08-R-0806 (62) Claim of **Lili Shou**, for vehicle damages alleged to have been sustained as a result of driving over a damaged catch basin on December 12, 2007 at 1509 Ponce de Leon Avenue.

C. RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 08-R-0807 (63) Claim of **Christopher R. Cottengim**, for damages alleged to have been sustained as a result of striking a metal plate on February 5, 2008 at 2738 Memorial Drive, SE.
- 08-R-0808 (64) Claim of **Lori C. Rosichan**, for damages alleged to have been sustained during a sewer separation project between 2006 and 2008 at 829 E. Confederate Avenue, SE.
- 08-R-0809 (65) Claim of **State Farm Insurance Companies, as subrogee of Christopher English**, for vehicular damages alleged to have been sustained from driving over a pothole on October 25, 2007 on Candler Road and Memorial Drive.
- 08-R-0810 (66) Claim of **Gity Azedeh, through her attorney, Michael S. Marr, Esq.**, for bodily injuries alleged to have been sustained from a slip-and-fall incident on August 29, 2007 and/or September 26, 2007 at Hartsfield-Jackson International Airport.
- 08-R-0811 (67) Claim of **Brenda Burley**, for property damages alleged to have been sustained when a driveway was damaged during a road re-paving project in April 2004 at 492 Elbridge Drive, NW.
- 08-R-0812 (68) Claim of **Heather L. Saum**, for property damages alleged to have been sustained to a driveway due to a tree stump removal project on August 24, 2007 at 1521 Marbut Avenue, SE.

D. ORDINANCES FOR FIRST READING

- 08-O-0712 (1) An Ordinance by Public Safety and Legal Administration Committee amending the 2007 (Intergovernmental Grant Fund) Budget, Department of Fire and Rescue, by adding to anticipations and appropriations, the amount of \$17,985.00, for grant funds from the Georgia Emergency Management Agency ("GEMA"), for the purpose of supporting the Atlanta Citizen Emergency Response Team; and for other purposes.

**TO BE REFERRED TO PUBLIC SAFETY & LEGAL
ADMINISTRATION COMMITTEE**

D. ORDINANCES FOR FIRST READING (CONT'D)

08-O-0713 (2) An Ordinance by Public Safety and Legal Administration Committee amending the 2007 (Intergovernmental Grant Fund) Budget, Department of Fire and Rescue, by reducing anticipations and appropriations in the amount of \$7,980.00, in grant funds from the Urban Area Security Initiative for the purpose of funding the Atlanta Citizens Response Team; and for other purposes.

TO BE REFERRED TO PUBLIC SAFETY & LEGAL ADMINISTRATION COMMITTEE

08-O-0714 (3) An Ordinance by Public Safety and Legal Administration Committee amending the 2008 (Intergovernmental Grant Fund) Budget, Department of Police, by adding to anticipations and appropriations, the amount of \$75,885.00, for an Explosive Ordinance Disposal (EOD) Equipment Grant, from the Georgia Emergency Management Agency ("GEMA"), for the purpose of purchasing equipment for bomb investigations related to Homeland Security for the Department of Police; and for other purposes.

TO BE REFERRED TO PUBLIC SAFETY & LEGAL ADMINISTRATION COMMITTEE

08-O-0715 (4) An Ordinance by Public Safety and Legal Administration Committee amending the 2008 (Intergovernmental Grant Fund) Budget, Department of Police, by adding to anticipations and appropriations, the amount of \$362,747.00, for an Explosive Ordinance Disposal (EOD) Equipment Grant, from the Georgia Emergency Management Agency ("GEMA"), for the purpose of purchasing equipment for bomb investigations related to Homeland Security for Hartsfield-Jackson Atlanta International Airport; and for other purposes.

TO BE REFERRED TO PUBLIC SAFETY & LEGAL ADMINISTRATION COMMITTEE

D. ORDINANCES FOR FIRST READING (CONT'D)

08-O-0716 (5) An Ordinance by Public Safety and Legal Administration Committee amending the 2008 (Intergovernmental Grant Fund) Budget, Department of Police, by adding to anticipations and appropriations, the amount of \$250,600.00 for a Grant Award from the Governor's Office of Highway Safety, to fund the Highway Enforcement of Aggressive Traffic and Pedestrian Safety Programs; and for other purposes.

TO BE REFERRED TO PUBLIC SAFETY & LEGAL ADMINISTRATION COMMITTEE

08-O-0717 (6) An Ordinance by Public Safety and Legal Administration Committee to anticipate and appropriate an amount of \$58,666.00 from the Criminal Justice Coordinating Council, for the purpose of continuing the provision of a Restorative Board in the English Ave./Vine City Area of Atlanta; and for other purposes.

TO BE REFERRED TO PUBLIC SAFETY & LEGAL ADMINISTRATION COMMITTEE

REGULAR

E. ORDINANCES FOR SECOND READING

08-O-0640 (1) An Ordinance by Public Safety and Legal Administration Committee amending the 2007 (Intergovernmental Grant Fund) Budget, Department of Police, by adding to anticipations and appropriations, the amount of \$56,288.34 and \$28,144.17, from Grant Funds from the United States Department of Justice Bulletproof Vest Partnership, and matching funds in the amount of \$28,144.17 from the General Fund Budget; and for other purposes.

FAVORABLE

E. ORDINANCES FOR SECOND READING (CONT'D)

08-O-0824 (2) An Ordinance by Councilmembers Ceasar C. Mitchell, Cleta Winslow, Joyce M. Sheperd, Mary Norwood, C. T. Martin, Ivory L. Young, Jr., Kwanza Hall and H. Lamar Willis to amend Article V (Entitled "Offenses by and against Minors") of Chapter 106 of the Code of Ordinances of the City of Atlanta, Georgia, by creating a new Section 106-229 to be entitled "Day-Time Curfew" so as to impose a Day-Time Curfew on minors, ages six (6) to sixteen (16) years; and for other purposes.

HELD

08-O-0843 (3) An Ordinance by Councilmember Natalyn M. Archibong amending Sections 10-1, 10-88 and 10-88.1 of the Code of Ordinances of the City of Atlanta, by adding a paragraph to define the term "Specialty Food Shop" and by adding and amending paragraphs to create distance requirements for same; and for other purposes.

HELD

08-O-0849 (4) An Ordinance by Councilman C. T. Martin to amend Section 162-260 (a), (Entitled "Fees Charged by Vehicle Immobilization Service") of the Code of Ordinances of the City of Atlanta, Georgia, so as to increase the allowable fee charged by vehicle immobilization Services, to the owner of any immobilized vehicle or personal property, from \$50.00 per day to \$75.00 per day; to waive conflicting ordinances; and for other purposes.

HELD

F. RESOLUTIONS

08-R-0718 (1) A Resolution by Public Safety and Legal Administration Committee authorizing the settlement of all claims against the City of Atlanta in the case of Byron McCoy V. City of Atlanta and JePaul James Adams, Superior Court, Fulton County, Civil Action File No. 2007CV131624, in the amount

F. **RESOLUTIONS (CONT'D)**

of \$25,000.00; 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.

FAVORABLE

08-R-0720 (2) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to apply for and accept a grant from the Governor's Office of Highway Safety, in an amount not to exceed \$250,600.00, to fund the Highway Enforcement of Aggressive Traffic and the Pedestrian Safety Programs; and for other purposes.

FAVORABLE

08-R-0721 (3) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to accept a grant award from the Georgia Emergency Management Agency ("GEMA"), in the amount of \$17,985.00, on behalf of the Department of Fire and Rescue, for the purpose of supporting the Atlanta Citizen Emergency Response Team; and for other purposes.

FAVORABLE

08-R-0845 (4) A Resolution by Councilmembers Ceasar C. Mitchell and C. T. Martin expressing the Atlanta City Council's support and encouragement of the Atlanta Police Department increasing the number of members of the City's Red Dog Unit from its current strength to not less than seventy-five (75) officers in order to have an effective number of personnel in order to combat street level drug trafficking; and for other purposes.

HELD

F. RESOLUTIONS (CONT'D)

- 08-R-0855 (5) A Resolution by Councilman Ceasar C. Mitchell to encourage the Atlanta Police Department to create a permanent foot patrol unit as part of a broader community policing unit; and for other purposes.

FAVORABLE

G. 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-1601 (3) 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 (4) A **Substitute** 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

G. PAPERS HELD IN COMMITTEE (CONT'D)

("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 create a Taxicab Re-Inspection Fee, Horse-Drawn Carriage Company Permit Fee and Horse-Drawn Carriage Renewal Fee; and for other purposes. **(Public Hearing held 1/15/08) (Held 1/15/08 for a work session)**

FORWARDED WITH NO RECOMMENDATION ON SUBSTITUTE

- 07-O-0078 (5) 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 (6) 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)**
- 07-R-0545 (7) 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 (8) 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)**

G. PAPERS HELD IN COMMITTEE (CONT'D)

- 07-O-1525 (9) 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 (10) 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)**
- 07-O-1795 (11) 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 (12) 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

G. PAPERS HELD IN COMMITTEE (CONT'D)

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-1879 (13) 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 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) (Held 10/30/07 for further review)**
- 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 **as substituted by Public Safety and Legal Administration Committee** 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, be assigned to foot patrol duty for a period of not less than eight

G. PAPERS HELD IN COMMITTEE (CONT'D)

weeks; to waive all ordinances, rules, regulations, policies, practices and procedures in conflict herewith; and for other purposes. **(Held 10/9/07 for further review) (Substituted and held 4/1/08)**

FAVORABLE

- 07-R-2294 (16) 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. **(Held 10/30/07 for further review)**
- 07-O-2513 (17) An Ordinance by Councilmember Ceasar C. Mitchell to amend Ordinance #07-O-2135, adopted October 15, 2007 and approved October 22, 2007, amending Section 10-12 of the City Code, which amendment eliminated the provision allowing persons 18 years of age or older to provide entertainment in any premises licensed for the sale of alcoholic beverages, so as to exempt from said ordinance, those persons currently employed as entertainers with active and valid permits, which will afford such persons a "Grandfathered" status; and for other purposes. **(Held 11/27/07 at the request of the author)**
- 08-R-0118 (18) Claim of Alyssa Walz, Gregory Walz and Jenny Walz, for damages alleged to have been sustained as a result of a vehicle accident on September 11, 2007 at the intersection of Howell Mill Road and Chattahoochee Highway. \$1,298.60 **(Held 1/29/08 at request of the Law Department)**
- 08-O-0190 (19) An Ordinance by Councilmember H. Lamar Willis to amend Chapter 30, Article II of the City Code of Ordinances to reflect new fees for owners of Adult Entertainment

G. PAPERS HELD IN COMMITTEE (CONT'D)

establishments which sell alcohol to provide for certain programs for the prevention of sexual assault; and for other purposes. **(Held 1/29/08 at the request of the author)**

- 08-O-0398 (20) An Ordinance by Public Safety and Legal Administration Committee to amend the Code of Ordinances of the City of Atlanta, Georgia, Chapter 162, Vehicles for Hire, to provide for a definition of Taxicab Safety Equipment; to require signage on applicable taxicabs alerting passengers to the presence of a Digital Security Camera System; to require the installation of taxicab safety equipment in all taxicabs; to authorize the Chief of Police or his/her designee to establish, issue and revise rules, procedures and regulations to govern the specifications, installation and maintenance of the taxicab safety equipment, and to provide for enforcement of rules, procedures and regulations for the purpose of protecting the safety of taxicab drivers and passengers; and for other purposes. **(Held 3/11/08 for a Work Session Wednesday, March 19, 2008 at 10:00 a.m.)**
- 08-R-0400 (21) A Resolution by Public Safety and Legal Administration Committee to authorize the City Attorney to accept on behalf of the City of Atlanta Department of Law, the donation of training from various Law Firms and other entities; and for other purposes. **(Held 2/26/08 for further review)**
- 08-C-0434 (22) A Communication by Mayor Shirley Franklin appointing **Mr. William Lobb** to serve as a member of the License Review Board (LRB) for the City of Atlanta. This appointment is for a term of two (2) years, scheduled to begin on the date of Council confirmation. **(Held 3/11/08 for Mr. Lobb to appear before the committee)**

FAVORABLE

- 08-R-0474 (23) A Resolution by Public Safety and Legal Administration Committee authorizing the City Attorney to extend a retainer agreement with the Law Firm of Morris, Manning & Martin, LLP to serve as outside counsel to the City of Atlanta in

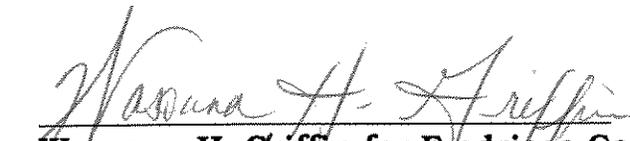
G. PAPERS HELD IN COMMITTEE (CONT'D)

connection with cases styled: Veolia Water North America Operating Services, LLC F/K/A U. S. Filter Operating Services, Inc. v City of Atlanta, Civil Action No. 06-CV-1457, City of Atlanta v. Veolia Water North America Operating Services, F/K/A U.S. Filter Operating Services, Inc., Civil Action No. 2006-CV-119510; City of Atlanta v. Veolia Environment, S.A. F/K/A Vivendi Environment, S.A., Civil Action No. 1:06-CV-1631, Veolia Water North America Operating Services, LLC F/K/A U.S. Filter Operating Services, Inc., Civil Action No. 2006-CV-118577 to authorize expenditures for that purpose in an amount not to exceed \$1,500,000.00, to be charged to and paid from Fund, Account and Center Number: 2J01 (Water and Wastewater) 524001 (Professional Consultant Services) Q30001 (Deputy Commissioner, Treatment & Collection). **(Held 3/11/08 for further review)**

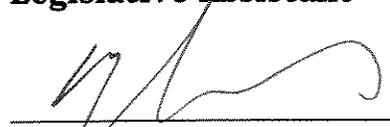
08-O-0507 (24) An Ordinance by Councilmember Mary Norwood to create a new Section 105-15 of the Code of Ordinances of the City of Atlanta, Georgia, to be entitled "Loitering"; and for other purposes. **(Held 3/11/08 for further review by the Law Department)**

There being no further business to come before the Committee, the meeting was adjourned at 6:17 p.m.

Respectfully Submitted:



Wasonna H. Griffin for Fredricea Cooper
Legislative Assistant



Bernard Thomas
Research and Policy Analyst



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