

**PUBLIC SAFETY
AND
LEGAL ADMINISTRATION COMMITTEE
MINUTES**

AUGUST 26, 2008

The regularly scheduled meeting of the Public Safety and Legal Administration Committee was held on **Tuesday, August 26, 2008 at 3:37 p.m., in Committee Room #2**. The following members were present:

**The Honorable Cleta Winslow, Chair
The Honorable Anne Fauver
The Honorable Joyce Sheperd
The Honorable Carla Smith**

The following members were absent:

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

Others present at the meeting were: Councilmembers Ceasar Mitchell and Jim Maddox; Judge Barbara Harris; Jerry Deloach, Lem Ward, Dianne Mitchell and Amber Robinson, Law Department; Deputy Chiefs Turner, Peter Andresen and Carlos Banda, Director Malachi Hull, Police Department; Deputy Chief W. Meadows, Atlanta Fire and Rescue Department; Greg Pridgeon and David Edwards, Office of the Mayor; media, public and council staff.

Chair Cleta Winslow called the meeting to order at 3:37 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-1610 (1) Claim of **Margaret H. Murphy**, for damages alleged to have been sustained as a result of an automobile accident on April 4, 2008 at Peachtree Road and West Wesley Road.
\$748.49

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RESOLUTIONS (CONT'D)

Claims with favorable recommendations:

- 08-R-1611 (2) Claim of **Matthew Harper, through his attorney, Mark Harper**, for damages alleged to have been sustained as a result of a vehicular accident on October 26, 2007 at 1820 Piedmont Avenue. **\$750.00**
- 08-R-1612 (3) Claim of **Bennie Whittle**, for damages alleged to have been sustained as a result of driving over a pothole on June 3, 2008 at Center Street and 10th Street. **\$842.37**
- 08-R-1613 (4) Claim of **Alicia McMullen**, for damages alleged to have been sustained as a result of striking a recessed sewer manhole on May 27, 2008 on McDonough Boulevard. **\$850.00**
- 08-R-1614 (5) Claim of **Cassandra Barfield**, for damages alleged to have been sustained as a result of a vehicular accident on March 17, 2008 at Interstate 20 East at Columbia Drive. **\$875.73**
- 08-R-1615 (6) Claim of **Sandra Cutts**, for vehicular damages alleged to have been sustained after striking a defective storm sewer catch basin on May 2, 2008 at 656 North Highland Avenue, NE. **\$959.84**
- 08-R-1616 (7) Claim of **Donna Walker**, for damages alleged to have been sustained during the repair of a sidewalk leak on April 30, 2008 at 225 Cross Roads Lane. **\$975.00**
- 08-R-1617 (8) Claim of **Dwayne and Sheila Dudley**, for damages alleged to have been sustained during the repair of a water main break on February 23, 2008 at North Avenue and Bonaventure Avenue. **\$1,123.75**
- 08-R-1618 (9) Claim of **Progressive American Insurance Company, as subrogee of Cynthia Champion**, for vehicular damages alleged to have been sustained from an automobile accident on April 29, 2008 at 1602 Sandtown Road. **\$1,306.65**

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RESOLUTIONS (CONT'D)

Claims with favorable recommendations:

- 08-R-1619 (10) Claim of **Direct Insurance Company, as subrogee of Jessica Course**, for vehicular damage alleged to have been sustained from an automobile accident on March 8, 2008 at East Paces Ferry Road and East Shadowlawn Avenue. **\$1,369.72**
- 08-R-1620 (11) Claim of **National Car Rental, as subrogee of Keshia Jackson**, for damages alleged to have been sustained as a result of an automobile accident on February 11, 2008 at Boulevard and Edgewood Avenue. **\$1,382.67**
- 08-R-1621 (12) Claim of **White Bros Auto Supply**, for vehicular damages and bodily injuries alleged to have been sustained from an automobile accident on March 14, 2008 at Howell Mill Road and Brady Avenue. **\$1,415.06**
- 08-R-1622 (13) Claim of **Betty F. Morgan**, for property damages alleged to have been sustained when a City vehicle backed into a support structure on May 11, 2008 at 2905 W. Roxboro Road, NE. **\$1,490.00**
- 08-R-1623 (14) Claim of **Tanisha Brooks**, for damages alleged to have been sustained during the repair of a water main break on February 23, 2008 at North Avenue and Bonaventure Avenue. **\$1,515.76**
- 08-R-1624 (15) Claim of **Tinoush Tehrani, through his attorney, John I. Spangler, III**, for vehicle damages alleged to have been sustained as a result of an unsecured construction area on December 2, 2006 at 520 Boulevard. **\$1,580.63**
- 08-R-1625 (16) Claim of **Tyrone Burke**, for damages alleged to have been sustained as a result of an automobile accident on April 24, 2008 at 651 14th Street. **\$1,607.09**

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RESOLUTIONS (CONT'D)

Claims with favorable recommendations:

- 08-R-1626 (17) Claim of **Elaine H. Knight and Jimmy L. Knight**, for property damages alleged to have been sustained from an automobile accident on January 11, 2008 at 150 Garnett Street, SW. **\$1,880.41**
- 08-R-1627 (18) Claim of **USAA Casualty Insurance Company, as subrogee of Jeffrey Collins, Jr.**, for damages alleged to have been sustained as a result of a vehicle accident on August 31, 2007 at the intersection of Collier Road and Dellwood Drive. **\$1,990.84**
- 08-R-1628 (19) Claim of **Edward L. Nelms**, for vehicular damages alleged to have been sustained after driving over a construction site that was left open and in an unsafe condition on October 23, 2007 at 1809 Perry Boulevard, NW. **\$2,013.00**
- 08-R-1629 (20) Claim of **Hansel Little**, for vehicular damages alleged to have been sustained from driving over a water construction metal plate in the road on January 26, 2008 at 2711 Piedmont Road, NE. **\$2,090.04**
- 08-R-1630 (21) Claim of **State Farm Insurance Companies, as subrogee of Cecil H. Beamon**, for damages alleged to have been sustained as a result of an automobile accident April 9, 2008 on I-75 southbound at Moores Mill Road. **\$2,091.00**
- 08-R-1631 (22) Claim of **Allstate Insurance Company, as subrogee of Monique Baisden**, for property damages alleged to have been sustained due to an automobile accident on April 28, 2008 at Williams Street, NW and Simpson Road, NW. **\$2,750.93**
- 08-R-1632 (23) Claim of **Advanced Disposal**, for damages alleged to have been sustained as a result of an automobile accident on June 5, 2008 at 5225 Welcome All Road. **\$3,950.00**

RESOLUTIONS (CONT'D)

Claims with favorable recommendations:

- 08-R-1633 (24) Claim of Elizabeth Guevara and Raymond Griffin, for property damages alleged to have been sustained when a tree fell on a residence on June 12, 2008 at 2869 Parrot Avenue, NW. \$4,518.00
- 08-R-1634 (25) Claim of Ruby Snow, through her attorney, Christopher Adams, for damages alleged to have been sustained as a result of a vehicular accident on November 29, 2007 at Hosea Williams Drive and Warren Street. \$5,600.00
- 08-R-1635 (26) Claim of State Farm Insurance Companies, as subrogee of Brian McCommon, for damages alleged to have been sustained as a result of driving over a damaged manhole on October 27, 2007 at 988 Carmel Avenue. \$5,885.25
- 08-R-1636 (27) Claim of Marstine Johnson, through her attorneys, Jason and Bradley, LLC, for bodily injuries alleged to have been sustained due to an automobile accident on February 21, 2008 at 6690 Church Street. \$8,000.00
- 08-R-1637 (28) Claim of Nationwide Insurance Company, as subrogee of Arthur Fisk and Wendy Rogers Fisk, for vehicle damages alleged to have been sustained as a result of a sewer backup on November 16, 2007 at 1165 Bonview Lane. \$12,745.35
- 08-R-1638 (29) Claim of Homer Beavers, through his attorney, Ahkibah Hall, for damages alleged to have been sustained as a result of an automobile accident on January 14, 2008 at 1619 Centra Villa Drive. \$15,000.00
- 08-R-1639 (30) Claim of Stephen Livesay, through his attorney, William Dearing, for damages alleged to have been sustained as a result of a vehicular accident on March 21, 2007 at Deering Road and Peachtree Street. \$50,000.00

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RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 08-R-1640 (31) Claim of **Lee Caplan**, for damages alleged to have been sustained as a result of striking a construction cut on December 13, 2007 at 1236 North Highland Avenue.
- 08-R-1641 (32) Claim of **Carletta R. Arnold**, for damages alleged to have been sustained as a result of striking a metal plate on May 30, 2008 on 14th Street.
- 08-R-1642 (33) Claim of **Lorenzo Marion Dye**, for damages alleged to have been sustained during an arrest on March 19, 2008 at 2805 Macon Drive, SW.
- 08-R-1643 (34) Claim of **Cornelia Erquitt**, for damages alleged to have been sustained as a result of an automobile accident on November 29, 2007 at Capital Avenue and Memorial Drive.
- 08-R-1644 (35) Claim of **Thanh Duc Nguyen, et al, through their attorney, Robert Mack, Jr.**, for damages alleged to have been sustained as a result of airplane noise and pollution at the Hartsfield-Jackson Atlanta International Airport.
- 08-R-1645 (36) Claim of **Nikki R. Palmore**, for vehicular damages alleged to have been sustained after driving over a construction metal plate that was partially covering a construction site in the road on November 2, 2007 at 925 Joseph E. Lowery Boulevard, NW.
- 08-R-1646 (37) Claim of **Anthony Warren**, for property damages alleged to have been sustained when a piece of jewelry was lost on November 4, 2007 at 236 Peachtree Street.
- 08-R-1647 (38) Claim of **Mamie E. Heard**, for property damages alleged to have been sustained when a mailbox was struck during a road re-paving project on an unknown date at 3210 Glen Echo Drive, SW.

RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 08-R-1648 (39) Claim of **Keshia Jackson**, for damages alleged to have been sustained as a result of an automobile accident on February 11, 2008 at Boulevard and Edgewood Avenue.
- 08-R-1649 (40) Claim of **Brodie Horn, Gina Horn and Richard Horn, through their attorney, Norman Miller**, for personal injuries alleged to have been sustained as a result of an incident on an escalator on February 19, 2008 at the Hartsfield-Jackson Atlanta International Airport.
- 08-R-1650 (41) Claim of **Kenneth Brewer**, for damages alleged to have been sustained as a result of striking storm grates on February 10, 2008 at 600 Casplan Street.
- 08-R-1651 (42) Claim of **Emmanuel Haywood**, for damages alleged to have been sustained as a result of a rock thrown by a construction vehicle on February 12, 2008 at 14th Street between Spring and Williams Streets.
- 08-R-1652 (43) Claim of **Jodi Dixon**, for vehicular damages alleged to have been sustained after driving over a construction metal plate that was partially covering a construction site in the road on November 2, 2007 at 925 Joseph E. Lowery Boulevard, NW.
- 08-R-1653 (44) Claim of **Joseph Hirsch**, for damages alleged to have been sustained as a result of an automobile accident on October 24, 2007 at 1195 Monroe Drive.
- 08-R-1654 (45) Claim of **Alicia Jackson**, for damages alleged to have been sustained as a result of a rock thrown by lawn mower on May 1, 2008 at 592 Magnolia Street.
- 08-R-1655 (46) Claim of **Lea O'Neal, through her attorney, Anthony L. Cochran, Chilivis, Cochran, Larkins & Bever, LLP**, for damages alleged to have been sustained from storm sewer overflow from 1985 to present at 219 Hermer Circle, SW.

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RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 08-R-1656 (47) Claim of **John and Eleatha O'Neal, through their attorney, Anthony L. Cochran, Chilivis, Cochran, Larkins & Bever, LLP**, for damages alleged to have been sustained from storm sewer overflow from 1985 to present at 219 Hermer Circle, SW.
- 08-R-1657 (48) Claim of **David Roller**, for damages alleged to have been sustained during the repair of a sidewalk leak on October 23, 2006 at 3892 Wieuca Road.
- 08-R-1658 (49) Claim of **Travise Farmer**, for damages alleged to have been sustained as a result of vehicular damages during a sanitation pick up on May 6, 2008 at 1711 Westhaven Drive, SW.
- 08-R-1659 (50) Claim of **Trimain A. Gough**, for damages alleged to have been sustained as a result of striking a curb protruding in the roadway on September 26, 2007 at Lee Street and West End Avenue.
- 08-R-1660 (51) Claim of **Danielle Hobbs**, for damages alleged to have been sustained as a result of driving over a pothole on March 5, 2007 at Joseph E. Lowery near the Interstate 20 West exit.
- 08-R-1661 (52) Claim of **Sara Philpott, through her attorney, Misha Whitman**, for damages alleged to have been sustained as a result of an automobile accident on January 6, 2008 at Martin Luther King, Jr. Drive and Mangum Street.
- 08-R-1662 (53) Claim of **Tyler Bell, through his attorney, Misha Whitman**, for damages alleged to have been sustained as a result of an automobile accident on January 6, 2008 at Martin Luther King, Jr. Drive and Mangum Street.
- 08-R-1663 (54) Claim of **Robert Carver**, for damages alleged to have been sustained as a result of construction being done for the West Area CSO Project in October 2006 at 1172 West Marietta Street.

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RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 08-R-1664 (55) Claim of **Tina Pilgrim**, for damages alleged to have been sustained as a result of driving over an unsecured metal plate on January 6, 2008 at Interstate 285 West at the 11 mile marker.
- 08-R-1665 (56) Claim of **Ayikaile Aryee**, for damages alleged to have been sustained as a result of driving over an unsecure metal plate on January 1, 2008 at Walker and Peters Streets.
- 08-R-1666 (57) Claim of **Timothy Moore**, for damages alleged to have been sustained as a result of a sewer backup on September 20, 2007 at 130 East Wesley Road.
- 08-R-1667 (58) Claim of **Tracy Esco**, for damages alleged to have been sustained as a result of driving over a pothole on June 5, 2008 at 6400 Powers Ferry Road.
- 08-R-1668 (59) Claim of **Rodney C. Moore**, for damages alleged to have been sustained as a result of an incident in February, 2006 at 675 Ponce de Leon Avenue.
- 08-R-1669 (60) Claim of **Ciji Holloway**, for damages alleged to have been sustained as a result of driving over a street defect in February, 2007 at 435 Joseph E. Lowery Boulevard.
- 08-R-1670 (61) Claim of **Louise W. Smith**, for property damages alleged to have been sustained from storm sewer overflow on July 11, 2007 at 120 Clay Street, SE.
- 08-R-1671 (62) Claim of **LaGary Stevens**, for damages alleged to have been sustained as a result of driving over a pothole on June 25, 2008 at Panthersville and Candler Roads.
- 08-R-1672 (63) Claim of **Essie Brown**, for damages alleged to have been sustained as a result of a fall in an open water meter on March 1, 2008 at 5168 Huxley, Stone Mountain, Georgia.

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RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 08-R-1673 (64) Claim of **Ian Pemberton**, for damages alleged to have been sustained as a result of driving over a raised manhole on November 7, 2007 at Joseph E. Lowery Boulevard and Sells Avenue.
- 08-R-1674 (65) Claim of **Vivian Stephens**, for damages alleged to have been sustained as a result of an automobile accident on April 17, 2008 at Baker and Courtland Streets.
- 08-R-1675 (66) Claim of **Helena Logan**, for damages alleged to have been sustained as a result of driving over a pothole on November 12, 2007 at 12 Peachtree Avenue.
(Councilmember Smith made a motion to approve Items C1-C66)

FAVORABLE

D. ORDINANCES FOR FIRST READING

- 08-O-1676 (1) An Ordinance to amend Chapter 10, Article II, Division 2, Section 10-66, Entitled "Public Hearing on Application; approval by Mayor", to allow an applicant for an Alcoholic Beverage License to appear before the License Review Board before receiving its final Fire, Health, and Building Letters; to reduce the amount of time before the Mayor must deny, grant, or remand to the License Review Board an Alcoholic Beverage License application following receipt of all required documentation; to provide for expiration of Alcoholic Beverage License Applications, other than for for-profit or non-profit special events, six months following the Mayor's receipt of the recommendation of the License Review Board if the Mayor is not in receipt of all required documentation at that time; to further reduce the amount of time before the Mayor must deny, grant or remand to the License Review Board an application for a temporary permit for the sale of alcoholic beverages for both for-profit and non-profit special events; to require that all recommendations of the License Review Board be delivered to the Mayor within three business days of the public announcement of the vote of the Board on such recommendations; and for other purposes.
TO BE REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

ORDINANCES FOR FIRST READING (CONT'D)

- 08-O-1677 (2) An Ordinance by Public Safety and Legal Administration Committee to amend Chapter 14, Article I (Entitled "Shooting Galleries") at Section 14-5; Chapter 14, Article I (Entitled "Game Centers") at Section 14-9; Chapter 14, Article IV, Division 2 (Entitled "Poolrooms and Billiard Rooms") at Section 14-103; Chapter 14, Article VI, Division 2 (Entitled "Bungee Jumping") at Section 14-189; Chapter 14, Article VII, Division 2 (Entitled "Burlesque Theaters") at Section 14-231; Chapter 14, Article VIII, Division 2 (Entitled "Lingerie Modeling Studios") at Section 14-323; Chapter 14, Article IX, Division 1 (Entitled "Adult Dancehalls") at Sections 14-382 and 14 384; Chapter 14, Article IX, Division 2 (Entitled "Teen Dancehalls") at Sections 14-427 and 14-429; Chapter 30, Article V (Entitled "Automobile or Motorcycle Races") at Section 30-528; Chapter 30, Article VI (Entitled "Bonding Agents") at Division 2, Section 30-566; Chapter 30, Article VII (Entitled "Door to Door Sales") at Division 2, Section 30-613; Chapter 30, Article VIII (Entitled "Escort Services") at Division 2, Section 30-652; Chapter 30, Article X (Entitled "Handwriting Analysis, Fortunetelling, and Astrology") at Division 2, Section 30-727; Chapter 30, Article XI (Entitled "Hotels, Lodginghouses, and Rooming Houses") at Division 2, Section 30-767; Chapter 30, Article XIX (Entitled "Gymnasiums, Health Clubs and Weight Reducing or Body Building Institutions") at Section 30-841; Chapter 30, Article XV (Entitled "Labor Pools") at Division 2, Section 30-874; Chapter 30, Article XVI (Entitled "Massage Establishments") at Division 2, Section 30-957; Chapter 30, Article XXI (Entitled "Street Patrols") at Section 30-1361; Chapter 30, Article XXII (Entitled "Telephone Sales Campaigns") at Section 30-1381; Chapter 30, Article XXIII (Entitled "Vending on Public Property") at Division 2, Section 30-1435; Chapter 30, Article XXIV (Entitled "Vending on Private Property") at Division 2, Section 30-1490; Chapter 30, Article VI (Entitled "Car Washes") at Section 30-1503; Chapter 106, Article VI (Entitled "Weapon Control") at Division 2, Section 106-268; Chapter 122, Article III (Entitled "Pawnbrokers") at Division 2, Section 122-83; Chapter 122, Article IV (Entitled "Precious Metal Dealers") at Division 2, Section 122-127; Chapter 122, Article V (Entitled "Secondary Metal Recyclers") at Division 2,

ORDINANCES FOR FIRST READING (CONT'D)

Section 122-172; Chapter 162, Article IV (Entitled "Wreckers and Towing Services") at Section 162225; to establish a uniform period of sixty days within which the Mayor may either affirm or revise recommendations made by the License Review Board, or, in order to prevent clear error or to prevent manifest injustice, to remand certain matters back to the License Review Board for further consideration; and for other purposes.

TO BE REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

- 08-O-1678 (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 \$4,520,044.00, from grant funds, from the White House Office of National Drug Control Policy, for the purpose of continuing the High Intensity Drug Trafficking Area ("HITDA") Task Force, to disrupt drug trafficking organizations; and for other purposes.

TO BE REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

- 08-O-1679 (4) 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 \$4,839,882.00, from grant funds, from the White House Office of National Drug Control Policy, for the purpose of continuing the High Intensity Drug Trafficking Area ("HITDA") Task Force, to disrupt drug trafficking organizations; and for other purposes.

TO BE REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

REGULAR

E. ORDINANCES FOR SECOND READING

08-O-1220 (1) An Ordinance by Councilmembers Ceasar C. Mitchell and Clea Winslow **as substituted#2 by Public Safety and Legal Administration Committee and amended by Full Council** to amend Article XXIII of Chapter 30 of the Code of Ordinances of the City of Atlanta which contains the Code Sections applicable to vending on public property, by replacing said article with new text, for the purpose of authorizing and implementing a Public Vending Management Program; and for other purposes. **(Referred back by Full Council as amended on 8/18/08)**
(Councilmember Fauver made a motion to approve on substitute.)

FAVORABLE ON SUBSTITUTE #2 (1 NAY) SHEPERD

08-O-1485 (2) An Ordinance by Public Safety and Legal Administration Committee to amend Chapter 106, Article IV, Division 1, Section 106-127, entitled "Solicitation for an Illicit Sexual Act", to create a Pretrial Intervention and Diversion Program to be administered by the City of Atlanta Solicitor's Office for the purpose of ending the demand for prostitution through the education of eligible defendants; and for other purposes. **(Councilmember Winslow made a motion to hold for further review.)**

HELD

08-O-1538 (3) An Ordinance by Councilmembers Jim Maddox, Joyce Sheperd, Mary Norwood, Ivory Lee Young, Jr., H. Lamar Willis, Kwanza Hall, C. T. Martin, Natalyn Archibong and Ceasar C. Mitchell to amend the Charter of the City of Atlanta, Georgia pursuant to the authority of the Municipal Home Rule Act of 1965, O.C.G.A. Section 36-35-1 et seq., as amended, by amending Section 4-104 (d) so as to provide that for the next Election of Municipal Court Judges, to be

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ORDINANCES FOR SECOND READING (CONT'D)

held in 2009, if more than seven (7) Judges elect to continue to serve for an additional four year term, only the seven (7) Judges receiving the highest number of votes shall continue to serve; to waive conflicting ordinances and charter amendments; and for other purposes. **(Referred by Full Council on 8/18/08)**
(Councilmember Winslow made a motion to hold for a legal opinion.)

HELD

08-O-1544 (4) An Ordinance by Councilman C. T. Martin to amend Section 162-78 (a) (3) and (6) (Taxicabs and Vehicles for Hire) of the Code of Ordinances of the City of Atlanta, Georgia so as to eliminate the Annual Fingerprinting Requirement for Taxicab Drivers and to change the Driver's Training Course Requirement from annually to every three years; to waive conflicting ordinances; and for other purposes. **(Referred back by Full Council on 8/18/08)**
(Councilmember Winslow made a motion to hold for further review.)

HELD

F. RESOLUTIONS

08-R-1209 (1) An Resolution by Finance/Executive Committee **as substituted by Public Safety and Legal Administration Committee** authorizing the Mayor to enter into an appropriate contractual Agreement with General Growth Properties, Inc., for FC-6007000095, Public Vending Management Program, on behalf of the Office of the Mayor; the City's portion of revenues generated under the contract shall be deposited to Fund, Department Organization and Account Number: 1001 (General Fund) 000002 (General Revenue Org) 3890003 (Food, Drink, & Notions); and for other purposes. **(Referred back by Full Council on 8/18/08)**

FAVORABLE ON SUBSTITUE (1 NAY) SHEPERD

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RESOLUTIONS (CONT'D)

08-R-1680 (2) A Resolution by Public Safety and Legal Administration Committee to rescind Resolution 08-R-0270 authorizing payment in the amount of \$5,136.83 in settlement of the claim of Cornelia Erquitt against the City of Atlanta; and for other purposes.
(Councilmember Winslow made a motion to hold at the request of the Law Department.)

HELD

08-R-1681 (3) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor, on behalf of the City of Atlanta Municipal Court, to execute temporary service contracts with nineteen (19) retired City of Atlanta ("City") Police Officers, for the purpose of providing Professional Security Services at the Municipal Court of Atlanta for a period of one (1) year, in an amount not to exceed \$774,842.00. All costs shall be charged to Fund, Department, Account, and Function Activity: 1001 190101 5212001 2650000; and for other purposes.
(Councilmember Smith made a motion to approve.)

FAVORABLE

08-R-1682 (4) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor, on behalf of the City of Atlanta, to execute temporary service contracts with fifteen (15) retired City of Atlanta ("City") Police Officers, for the purpose of providing Professional Security Services at the Public Safety Headquarters for a period of one (1) year, in an amount not to exceed \$156,150.00. All costs shall be charged to GL String Number: 1001.240202.5212001.3260000.000000.0000; and for other purposes.
(Councilmember Sheperd made a motion to approve.)

FAVORABLE

RESOLUTIONS (CONT'D)

08-R-1707 (5) A Resolution by Public Safety and Legal Administration Committee to correct Resolution Number 08-R-1208 adopted by City Council on June 16, 2008 and approved by the Mayor on June 24, 2008 by referencing the proper account string in the Department of Corrections from which the contract for Inmate Commissionary and Trust Fund Management Services shall be paid; and for other purposes. **(Councilmember Smith made a motion to approve.)**

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)**

HELD

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)**

HELD

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)**

HELD

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RESOLUTIONS (CONT'D)

07-O-0078 (4) An Ordinance by Councilmember Clela 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)**

HELD

07-O-0249 (5) An Ordinance by Councilmembers Kwanza Hall and Clela 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)**

HELD

07-R-0545 (6) 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)**

HELD

07-O-1522 (7) 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)**

HELD

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RESOLUTIONS (CONT'D)

07-O-1525 (8) 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)**

HELD

07-O-1526 (9) 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)**

HELD

07-O-1795 (10) 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.)**

HELD

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PAPERS HELD IN COMMITTEE (CONT'D)

07-O-1800 (11) 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)**

HELD

07-O-1879 (12) 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)**

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PAPERS HELD IN COMMITTEE (CONT'D)

07-R-2294 (13) 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)**

HELD

07-O-2513 (14) 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)**

HELD

08-O-0190 (15) 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 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)**

HELD

08-R-0400 (16) 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. **(Councilmember Fauver made a motion to approve.)**

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PAPERS HELD IN COMMITTEE (CONT'D)

08-O-0507 (17) 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)**

HELD

08-O-0824 (18) 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 4/29/08 per the Department of Police to have discussion with the Atlanta Board of Education.)**

HELD

08-O-0843 (19) 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 4/29/08 for two week certain per the author to have a discussion with the Law Department.)**

HELD

08-R-0845 (20) 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 per the Committee so that the Law Department can review.)**

HELD

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PAPERS HELD IN COMMITTEE (CONT'D)

08-O-0884 (21) An Ordinance by Finance/Executive Committee to amend Chapter 10, Article I, Section 10-1 of the Code of Ordinances, City of Atlanta, Georgia, so as to amend the definition of the word "Restaurant" to more closely reflect the definition of the term "Bona Fide Full-Service Restaurant" contained in Chapter Three of the Official Code of Georgia Annotated; to repeal conflicting ordinances; and for other purposes. **(Held 5/27/08 for further review)**

HELD

08-O-0984 (22) An Ordinance by Public Safety and Legal Administration Committee to amend Article XXIII of Chapter 30 of the Code of Ordinances of the City of Atlanta which contains the Code Section applicable to vending on Public Property by replacing said article with new text for the purpose of authorizing and implementing a Public Vending Management Program; and for other purposes. **(Held 5/27/08) (Work session held 6/4/08)**

HELD

08-O-1211 (23) An Ordinance by Councilmembers H. L. Willis, C. T. Martin, Ivory L. Young, Jr. and Mary Norwood to create a separate Department/Organization (Dept/Org) to account for the activity of the Citizen Review Board (CRB); to move funds budgeted in the FY 2008 General Fund Budget in the Police Department's Public Affairs Unit for the purposes of the CRB; and for other purposes. **(Held 6/10/08 for further review)**

HELD

08-O-1230 (24) An Ordinance by Councilmember Kwanza Hall **as substituted by Public Safety and Legal Administration Committee** to amend Section 10-1, 10-62 and 10-88 to Chapter 10 of the Code of Ordinances, City of Atlanta, Georgia, so as to create a new category of Alcoholic Beverage License for Community Theatres; to make such Community Theatres exempt from the distance requirements contained in Section 10-88; and for other purposes. **(Held 6/10/08) (Substituted and held 7/1/08 for further review)**

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PAPERS HELD IN COMMITTEE (CONT'D)

08-O-1252 (25) An Ordinance by Councilmember Howard Shook to amend the Code of Ordinances of the City of Atlanta, Georgia, Chapter 10, Article II, Division 2, Section 10-94(a), to exempt certain properties from the distance requirements of 10-88 for the sale of alcoholic beverages for consumption on the premises; and for other purposes. **(Held 7/1/08 at the request of the Law Department)**

HELD

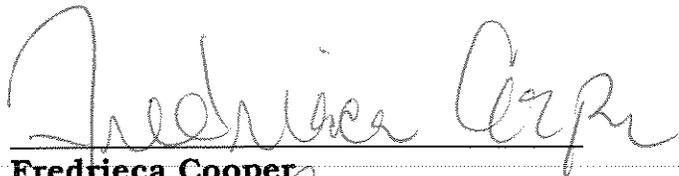
08-O-1289 (26) An Ordinance by Public Safety and Legal Administration Committee to amend Chapter 10, Article II, Division 2, Section 10-61, Entitled "Date for Payment of License Fees; Prorated Fees", to provide for an expiration date for all licenses issued under Division 2 of Chapter 10, Article II of the City of Atlanta Code of Ordinances; to change the date by which all Annual License Fees and Renewal Applications of all Annual Licenses issued under Division 2 of Chapter 10, Article II of the City of Atlanta Code of Ordinances must be submitted; to provide for prorated fees based upon the new deadline; to set forth that the effective date of this amendment shall be January 2, 2009; to repeal conflicting ordinances; and for other purposes. **(Held 7/15/08 at the request of the Law Department)**

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There being no further business to come before the Committee, the meeting was adjourned at 5:32 p.m.

Respectfully Submitted:



Fredrieca Cooper
Legislative Assistant



Bernard Thomas
Research and Policy Analyst



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