

**PUBLIC SAFETY  
AND  
LEGAL ADMINISTRATION COMMITTEE  
MINUTES**

**MARCH 31, 2009**

The regularly scheduled meeting of the Public Safety and Legal Administration Committee was held on **Tuesday, March 31, 2009 at 3:36 p.m., in Committee Room #2.** The following members were present:

**The Honorable Cleta Winslow, Chair  
The Honorable C. T. Martin, Vice-Chair  
The Honorable Kwanza Hall  
The Honorable Anne Fauver  
The Honorable Joyce Sheperd  
The Honorable H. Lamar Willis**

Others present at the meeting were: City Attorney Elizabeth Chandler, Jerry Deloach, Amber Robinson and Dianne Mitchell, Law Department; Deputy Chiefs George Turner, Peter Andresen, and Maj. Williams, Police Department; Deputy Chief W. Meadows, Atlanta Fire and Rescue Department; Leslie Ward, City's Internal Auditor; Chief Frank Sizer and Assistant Chiefs Priscilla A. Doggett and Diane Jones, Department of Corrections; media, public and council staff.

Chair Cleta Winslow called the meeting to order at 3:36 p.m. after declaring a quorum present. She then proceeded with the following order of business.

A. **ADOPTION OF AGENDA - ADOPTED AS AMENDED TO ADD A PERFORMANCE AUDIT REPORT ON THE DEPARTMENT OF CORRECTIONS BY LESLIE WARD AND TO ADD ONE RESOLUTION**

B. **APPROVAL OF MINUTES - APPROVED**

**CONSENT**

C. **RESOLUTIONS**

**Claims with favorable recommendations:**

09-R-0568 ( 1) Claim of **Vernard Strokes**, for property damages alleged to have been sustained due to an automobile accident on November 27, 2008 on Pryor Road. **\$826.00**

**Public Safety Legal Administration Committee Minutes**  
**March 31, 2009**  
**Page Two**

**Claims with favorable recommendations:**

- 09-R-0569 ( 2) Claim of **Weston C. Forester**, for vehicular damages alleged to have been sustained due to an automobile accident on January 15, 2009 at 1030 Delta Boulevard **\$941.61**
- 09-R-0570 ( 3) Claim of **Collision Works Properties, LLC, C/O Steve Peek**, for vehicular damages alleged to have been sustained from an automobile accident on May 28, 2008 at 2441 Cheshire Bridge Road, NE. **\$1,050.00**
- 09-R-0571 ( 4) Claim of **Marlon Julien**, for damages alleged to have been sustained as a result of a vehicular accident on January 20, 2009 at Dill Avenue and Allene Avenue. **\$1,200.00**
- 09-R-0572 ( 5) Claim of **Sonya Diggs**, for vehicular damages alleged to have been sustained from driving over potholes in the road that were due to a re-paving project on October 7, 2008 at Perry Boulevard and W. Highland Avenue, NW. **\$1,215.00**
- 09-R-0573 ( 6) Claim of **Cheryl M. Bolton**, for damages alleged to have been sustained as a result of a trip and fall on a curb on February 19, 2007 at 778 North Highland Avenue. **\$1,600.00**
- 09-R-0574 ( 7) Claim of **Tyrus D. Woods**, for vehicular damages alleged to have been sustained due to an automobile accident on December 13, 2008 at 1959 Metropolitan Parkway, SW. **\$1,600.00**
- 09-R-0575 ( 8) Claim of **Laura Currey-Taseva**, for vehicular damages alleged to have been sustained due to an automobile accident on January 6, 2009 at North Avenue and North Highland Avenue. **\$1,885.41**
- 09-R-0576 ( 9) Claim of **Samuel W. Pickett**, for vehicular damages alleged to have been sustained due to an automobile accident on December 23, 2008 at Moreland Avenue and Hosea L. Williams Drive. **\$2,205.05**

**RESOLUTIONS (CONT'D)**

**Claims with favorable recommendations:**

- 09-R-0577 (10) Claim of **Corey Sauberan**, for vehicular damages alleged to have been sustained due to an automobile accident on January 3, 2009 at 3120 Maple Drive, NE. **\$2,568.40**
- 09-R-0578 (11) Claim of **Renee Branson**, for damages alleged to have been sustained as a result of a vehicular accident on October 8, 2008 at Ralph David Abernathy Boulevard and Smith Street. **\$2,993.36**
- 09-R-0579 (12) Claim of **Progressive Mountain Insurance, as subrogee of Monique Riley**, for damages alleged to have been sustained as a result of an automobile accident on October 24, 2008 at 902 Donald Lee Hollowell Parkway. **\$3,685.00**
- 09-R-0580 (13) Claim of **McMarcus Williams, through his attorney, Michael Cherof**, for damages alleged to have been sustained as a result of a vehicular accident of February 6, 2008 at Cascade Avenue and Beecher Street. **\$3,800.00**
- 09-R-0581 (14) Claim of **Progressive Direct Insurance Company, as subrogee of Michael Covington**, for vehicular damages alleged to have been sustained due to an automobile accident on November 14, 2008 at State Street and 16<sup>th</sup> Street. **\$3,928.53**
- 09-R-0582 (15) Claim of **State Farm Insurance Companies, as subrogee of Deanna Schreffler**, for damages alleged to have been sustained as a result of a vehicular accident on November 25, 2008 at Howell Mill Road and 11<sup>th</sup> Street. **\$5,635.95**
- 09-R-0583 (16) Claim of **Liberty Mutual Insurance, as subrogee of Londenia Shropshire**, for damages alleged to have been sustained as a result of a vehicular accident on July 29, 2008 at Campbellton Road and Centra Villa Drive. **\$6,014.19**

**RESOLUTIONS (CONT'D)**

**Claims with favorable recommendations:**

- 09-R-0584 (17) Claim of **Kimberly W. Kappel**, for damages alleged to have been sustained as a result of a series of sewer backups between October 30, 2008 and November 17, 2008 at 1406 Wesley Walk, NW. **\$6,344.50**
- 09-R-0585 (18) Claim of **Graciela Carlton, through her attorney, Julie M. Poirier, Esq., Law Office of Perry D. Ellis, PC**, for bodily injuries alleged to have been sustained after stepping into an improperly covered water meter on March 26, 2008 at 2600 Baker Road. **\$12,000.00**

**Claims with unfavorable recommendations:**

- 09-R-0586 (19) Claim of **Patricia Walker, on behalf of Donald Hamilton, deceased, through her attorney, Louise T. Hornsby, Esq., Hornsby & Associates**, for damages alleged to have been sustained from an unlawful arrest and wrongful death incident on May 4, 2008 at Peachtree Street and West Wesley Road.
- 09-R-0587 (20) Claim of **Marc Grauer**, for vehicular damages alleged to have been sustained from driving through a road-striping project on October 9, 2008 at 15<sup>th</sup> Street, NE and Peachtree Circle, NE.
- 09-R-0588 (21) Claim of **Sheronn Harris**, for vehicular damages alleged to have been sustained from driving through a road-striping project on June 30, 2008 at J. W. Dobbs through Austin Avenue, NE and Euclid Avenue, NE.
- 09-R-0589 (22) Claim of **Hassanali Dashtpeyma**, for damages alleged to have been sustained when the City failed to enforce its Taxicab Ordinance on June 23, July 18, August 5 and August 27, 2008 at Harris Street and Spring Street.

**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 09-R-0590 (23) Claim of **James F. Maddox, Sr.**, for vehicular damages alleged to have been sustained from driving through wet paint on November 29, 2007 at Benjamin E. Mays Drive and Lynhurst Drive, SW.
- 09-R-0591 (24) Claim of **Annette Johnson**, for bodily injuries alleged to have been sustained from a fall on the escalator on September 15, 2007 at 285 Andrew Young International Boulevard, NW.
- 09-R-0592 (25) Claim of **Jennifer Malloy**, for damages alleged to have been sustained as a result of striking a catch basin on July 22, 2008 at 925 Spring Street.
- 09-R-0593 (26) Claim of **Chantel Brown, through her attorney, Denika E. Thomas, Esq., Hines & Associates, PC**, for damages alleged to have been sustained as a result of a trip and fall incident on an uncovered water meter on Larkin Street on April 17, 2008 on Larkin Street.
- 09-R-0594 (27) Claim of **Krista Jones, through her attorney, L. Chris Stewart**, for damages alleged to have been sustained as a result of a trip and fall incident on September 12, 2008 at 765 Martin Street, SE.
- 09-R-0595 (28) Claim of **Brian Rainwater**, for damages alleged to have been sustained as a result of a water main break on March 12, 2008 at 2242 Edison Avenue.
- 09-R-0596 (29) Claim of **Brian Moscona**, for damages alleged to have been sustained as a result of striking an open manhole on September 1, 2008 at 10<sup>th</sup> Street and State Street.
- 09-R-0597 (30) Claim of **Amy Falzone, through her attorney, Jim Green**, for damages alleged to have been sustained as a result of a fall on a water valve in the roadway on July 28, 2007 at 98 6<sup>th</sup> Street.

**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 09-R-0598 (31) Claim of **Jaden Young, a minor, through his attorney, Prakash Patel**, for damages alleged to have been sustained as a result of an automobile accident on August 27, 2008 at Memorial Drive and Warren Street.
- 09-R-0599 (32) Claim of **Thelma Moore**, for damages alleged to have been sustained as a result of driving over a traffic calming medium on November 23, 2008 at the 2200 block of Glenwood Road.
- 09-R-0600 (33) Claim of **Maximilian Brewer, through his attorney, Jackie Piland**, for damages alleged to have been sustained as a result of an automobile accident on October 10, 2008 at Boulevard Avenue and Confederate Avenue.
- 09-R-0601 (34) Claim of **Travis Bui, through his attorney, Jackie Piland**, for damages alleged to have been sustained as a result of an automobile accident on August 14, 2008 at Boulevard Avenue and Confederate Avenue.
- 09-R-0602 (35) Claim of **Zeev Sharon, through his attorney, Mary Carole Cooney**, for damages alleged to have been sustained as a result of a damaged private storm sewer beginning in February 2008 at 837 Kings Court.
- 09-R-0603 (36) Claim of **Dione Coggins**, for damages allegedly sustained as a result of driving over an unsecured construction area from June through July 3, 2007 at 685 Mercer Street.
- 09-R-0604 (37) Claim of **Ruth McGuire**, for damages alleged to have been sustained as a result of driving over a recessed storm drain grate on December 3, 2008 at 446 Northside Drive.
- 09-R-0605 (38) Claim of **Christopher A. Pyne, through his attorney, Ben Gerber, Esq., Law Office of Perry D. Ellis, P.C.**, for bodily injuries alleged to have been sustained from an escalator incident on March 20, 2008 an 8700 Spine Road, Hartsfield-Jackson Atlanta International Airport.

**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 09-R-0606 (39) Claim of **Brian T. Watkinson**, for vehicular damages alleged to have been sustained from driving over a series of metal plates that were left in an unsafe manner on November 29, 2008 at Peachtree Street and 12<sup>th</sup> Street.
- 09-R-0607 (40) Claim of **Grange Insurance, as subrogee of Leslie Ramos**, for damages alleged to have been sustained as a result of an automobile accident on July 8, 2008 at 6011 South Terminal Parkway.
- 09-R-0608 (41) Claim of **Brooke Hansell**, for vehicular damages alleged to have been sustained from driving over an unpaved section of roadway on November 14, 2007 at 1015 Techwood Drive, NW.
- 09-R-0609 (42) Claim of **Leisa D. White**, for bodily injuries alleged to have been sustained as a result of a fall while exiting an seat on April 9, 2008 at 395 Piedmont Avenue, NE.
- 09-R-0610 (43) Claim of **Joe Dodd**, for vehicular damages alleged to have been sustained from driving through wet paint on October 31, 2007 on Howell Mill Road, NE.
- 09-R-0611 (44) Claim of **Earnest J. Fisher, through his attorney, Guy E. Davis, attorney at Law**, for bodily injuries alleged to have been sustained from a fall on August 2, 2008 an 8700 Spine Road, Hartsfield-Jackson Atlanta International Airport.
- 09-R-0612 (45) Claim of **Jauvanda Cutno**, for vehicular damages alleged to have been sustained when an automobile was struck by a trash receptacle during a garbage pickup on January 2, 2009 at 4007 Blanton Avenue.
- 09-R-0613 (46) Claim of **Kimberly Gold**, for vehicular damages alleged to have been sustained from driving over a series of metal plates that were left in an unsafe manner on November 29, 2008 at Peachtree Street and 12<sup>th</sup> Street.

**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 09-R-0614 (47) Claim of **Wendy Lockett, through her attorney, Christopher J. Graddock, Morgan & Morgan**, for bodily injuries alleged to have been sustained from an automobile accident on July 22, 2008 at Sylvan Road and Murphy Avenue.
- 09-R-0615 (48) Claim of **Vanessa Cain**, for damages alleged to have been sustained as a result of the erroneous discard of a trash receptacle on April 26, 2007 at 969 Hill Street.
- 09-R-0616 (49) Claim of **Constance Tate, through her insurance carrier, State Farm Insurance Companies**, for damages alleged to have been sustained as a result of a vehicular accident April 27, 2008 at 3385 Martin Luther King, Jr. Drive.
- 09-R-0617 (50) Claim of **Chris Butler**, for damages alleged to have been sustained as a result of driving over a pothole on August 4, 2008 at 1328 Dekalb Avenue.
- 09-R-0618 (51) Claim of **Comcast, C/O Phoenix Loss Control**, for damages alleged to have been sustained as a result of a severed cable line on January 22, 2009 at 3026 Meadowood Lane.
- 09-R-0619 (52) Claim of **Linda James, through her attorney, John M. Foy, Esq.**, for damages alleged to have been sustained as a result of a trip and fall incident on a damaged sidewalk on May 19, 2007 at the Shamrock Garden Apartments.
- 09-R-0620 (53) Claim of **Valencia White**, for damages alleged to have been sustained as a result of a trip and fall incident in a crosswalk on March 27, 2008 at 228 Wynnwood Drive, SW.

**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 09-R-0621 (54) Claim of **Tremayne McReynolds**, for damages alleged to have been sustained as a result of a trip and fall incident in an uncovered water meter on July 15, 2008 at 277 Pharr Road, NE.
- 09-R-0622 (55) Claim of **Elen Hailey**, for damages alleged to have been sustained as a result of striking a construction cut in July 2008 at 1170 Custer Avenue, SE.  
**(Councilmember Willis made a motion to approve Items C1-C55)**

**FAVORABLE**

**D. ORDINANCES FOR FIRST READING**

- 09-O-0539 ( 1) An Ordinance by Public Safety and Legal Administration Committee rescinding Ordinance Number 08-O-1047 and Ordinance Number 08-O-1679 and amending the 2009 (Intergovernmental Grant Fund) Budget, Department of Police by adding to anticipations and appropriations the amount of \$319,838.00 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 continued disruption of Drug Trafficking Organizations; and for other purposes.

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

- 09-O-0540 ( 2) An Ordinance by Public Safety and Legal Administration Committee amending the 2009 (Intergovernmental Grant Fund) Budget, Department of Police by adding to anticipations and appropriations, in an amount of \$949,325.00, for Grant Funds, from the White House Office of National Drug Control Policy, for the purpose of continuing the High Intensity Drug Trafficking Area (HIDTA) Task Force; to disrupt Drug Trafficking Organizations; and for other purposes.

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

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

09-O-0541 ( 3) An Ordinance by Public Safety and Legal Administration Committee to reduce the amount of funding to Grant Award #250130250 Project #24202607 Task #101 by \$160,000.00 and by changing the terms and conditions contained in Ordinance Number 05-O-1708 pertaining to the designation of the Atlanta Police Department as the Federal Grant Pass Through Agency for High Intensity Drug Trafficking Area Funds to fund Multijurisdictional efforts to curtail Drug Trafficking in the Metropolitan Atlanta Area, by authorizing the use of \$160,000.00 from the Racketeer Influenced Corrupt Organization (RICO) Funds within the Trust Fund Accounts; and for other purposes.

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

**REGULAR**

**E. ORDINANCE FOR SECOND READING**

09-O-0412 ( 1) An Ordinance by Public Safety and Legal Administration Committee to amend the 2009 (Intergovernmental Grant Fund) Budget, Executive Offices, Mayor's Office of Weed and Seed, by adding to anticipations and appropriations in the amount of \$380,098.00 from the Department of Justice Byrne Discretionary Grant; and for other purposes.  
**(Councilmember Willis made a motion to approve.)**

**FAVORABLE**

**F. RESOLUTIONS**

09-R-0542 ( 1) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to enter into an appropriate contractual agreement with Police Central, Inc., for FC-4782, Jail Management System, on behalf of the Department of Corrections in an amount not to exceed \$1,500,000.00. In the first eighteen (18) months, all contracted work in charged to and paid from PATEO; (Fund) 7701 (Dept. Org.), 190101 (Account), 5222001 (Project), 200769 (Funding Source) 91466; and for other purposes.  
**(Councilmember Willis made a motion to approve.)**

**FAVORABLE**

**RESOLUTIONS (CONT'D)**

- 09-R-0543 ( 2) A Resolution by Public Safety and Legal Administration Committee authorizing the settlement of all claims against the City of Atlanta in the case of Lanny West and Leslie Fram v. City of Atlanta, Magistrate Court, Fulton County, Civil Action File No. 2008MS089922, in the amount of \$10,500.00; authorizing said payment to be charged to and paid from Fund 1001 (General Fund), Account 200101 (Property Liquidation) 5212005 and Center Number (Non-Departmental); authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.  
**(Councilmember Hall 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**

- 07-O-0249 ( 3) 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.  
**(Councilmember Hall made a motion to file.)**

**FILE**

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

07-O-1525 ( 4) 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-1795 ( 5) 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**

07-O-1879 ( 6) 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

**Public Safety Legal Administration Committee Minutes  
March 31, 2009  
Page Thirteen**

**PAPERS HELD IN COMMITTEE (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) (Held 10/30/07 for further review)**

**HELD**

07-R-2294 ( 7) 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 ( 8) 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**

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

08-O-0190 ( 9) 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-O-0507 (10) An Ordinance by Councilmember Mary Norwood to create a new Section 106-15 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 (11) 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-0884 (12) 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**

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

08-O-1147 (13) A **Substitute** Ordinance by Public Safety and Legal Administration Committee to amend the Charter of the City of Atlanta, Georgia, adopted under the authority of the Municipal Home Rule Act of 1965, O.C.G.A. 36-35-1 et seq., as amended, to amend the Charter of the City of Atlanta, Georgia, 1996 Ga. Laws, P. 4469, et seq., by amending Article 4, Courts, Sections 4-106 and 4-109 regarding the appointment of Judges Pro Hac Vice to the Municipal Court of Atlanta; to repeal conflicting ordinances; and for other purposes. **(Referred back from Council on 3<sup>rd</sup> Reading, Final Adoption) (Held 2/24/09)**

**HELD**

08-O-1211 (14) 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 (15) An Ordinance by Councilmember Kwanza Hall **as substituted by Public Safety and Legal Administration Committee** to amend Sections 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.  
**(Councilmember Hall made a motion to file.)**

**FILE**

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

08-O-1252 (16) 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 (17) 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)**

**HELD**

08-O-1538 (18) 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 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) (Held 8/26/08 for a legal opinion.)**

**HELD**

**Public Safety Legal Administration Committee Minutes  
March 31, 2009  
Page Seventeen**

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

08-O-1544 (19) 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) (Held 8/26/08 for further review.)**

**HELD**

08-O-1753 (20) An Ordinance by Councilmember Mary Norwood to amend Article XXIV entitled "Vending on Private Property"; and for other purposes. **(Held 9/9/08 for further review.)**

**HELD**

08-O-1760 (21) An Ordinance by Councilmembers Jim Maddox, C. T. Martin, Cleta Winslow, H. Lamar Willis, Ceasar Mitchell, Ivory L. Young, Jr., Kwanza Hall, Clair Muller to create a new Section 62-27.1 of the Code of Ordinances of the City of Atlanta, Georgia, which section shall provide that effective January 1, 2010, the number of Municipal Court Judges shall be eight (8); to waive conflicting ordinances; and for other purposes. **(Held 9/9/08 for further review.)**

**HELD**

08-O-2296 (22) An Ordinance by Public Safety and Legal Administration Committee **as substituted by Full Council** amending Chapter 162, Article II, Division 5, Section 162-118, subsection (a), of the Code of Ordinances of the City of Atlanta, on behalf of the Department of Police, Bureau of Taxicabs and Vehicles for Hire, for the purpose of creating an initial airport fare for all taxicab trips originating from Hartsfield-Jackson Atlanta International Airport; and for other purposes. **(Referred back by Council on substitute as amended 3/2/09)**

**HELD**

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

08-O-2436 (23) An Ordinance by Public Safety and Legal Administration Committee to amend Chapter 2, Article XVI, Division 11, Section 2-2211 and Chapter 2, Article XVI, Division 11, Section 2-2212 to provide for the disclosure of public police and corrections documents to the Citizen Review Board; to amend Chapter 98, Article II, Section 98-26(b)(3) and Chapter 98, Article IV, Section 98-153(b)(3) to require the Chiefs of Police and Corrections to appear before the Citizen Review Board upon request and set forth the reasons for delays in internal investigations into their employees' conduct; and for the other purposes. **(Held 1/13/09 for a 4 week time certain.)**

**HELD**

09-R-0061 (24) Claim of **Veronica Watson** for vehicular damages alleged to have been sustained from striking a storm sewer catch basin on February 15, 2008 at Fairbanks Street, SW and Deckner Avenue, SW. **(Held 1/13/09 at the request of Councilmember Sheperd.)**

**HELD**

09-R-0354 (25) Claim of **Alberta Stephenson**, for damages alleged to have been sustained as a result of a vehicular accident on February 1, 2007 at Joseph E. Lowery Boulevard at Interstate 20 exit. **(Held 2/24/09 at the request of a Councilmember Archibong.)**

**HELD**

09-R-0375 (26) A Resolution by Councilmember Anne Fauver supporting and endorsing the proposed Resolution of the Fulton County Commission to restrict the practice of chaining or tethering dogs in Fulton County; and for other purposes. **(Held 2/24/09 in order to forward the ordinance to the NPU's for review and comment, and to send a letter to Commissioner Pitts from the Public Safety and Legal Administration Committee to defer action until it goes through the City NPU process.)**

**HELD**

**Public Safety Legal Administration Committee Minutes  
March 31, 2009  
Page Nineteen**

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

- 09-C-0392 (27) A Communication by Mayor Shirley Franklin re-appointing **Mr. Shelley B. Stanley** to serve as a Taxicabs and 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 Willis made a motion to approve.)**

**FAVORABLE - REFERRED TO COMMITTEE ON COUNCIL**

- 09-O-0389 (28) An Ordinance by Public Safety and Legal Administration Committee to amend Section 10-75 (5) of the Code of Ordinances of the City of Atlanta, Georgia ("The Alcoholic Beverage Code") so as to correct a Code Section reference error contained therein; to waive conflicting ordinances; and for other purposes.

**HELD**

**H. ITEM NOT ON THE AGENDA**

**RESOLUTION**

- 09-R-0626 ( 1) A Resolution by Public Safety And Legal Administration Committee authorizing the City Attorney to retain Page Perry, LLC to investigate the possibility of initiating and prosecuting a Civil Action Against certain mortgage lending companies, financial institutions, and others for mortgage lending practices; and for other purposes.  
**(Councilmember Willis made a motion to approve.)**

**FAVORABLE**

**I. REQUESTED ITEMS**

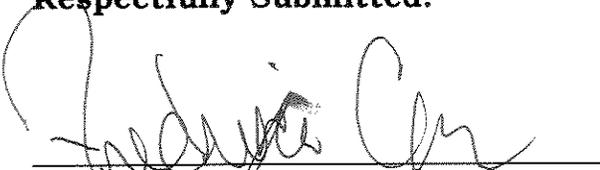
1. Councilmember Martin made a request to form a sub-committee to study ways to reduce crime in the City of Atlanta.
2. Councilmember Sheperd made a request for a work session on liquor licensing.

**REQUESTED ITEMS (CONT'D)**

3. Councilmember Young made a request to the Committee to have Doug Mincher give an accounting of all the bad checks received in the Municipal Court in Fiscal Year 2008.
4. Councilmember Young made a request to Doug Mincher to send an email providing the name of the language translator for the Municipal Court. Mr. Mincher agreed to provide the information requested in items 3 and 4.

**There being no further business to come before the Committee, the meeting was adjourned at 6:16 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**