

**PUBLIC SAFETY  
AND  
LEGAL ADMINISTRATION COMMITTEE  
MINUTES**

**APRIL 28, 2009**

The regularly scheduled meeting of the Public Safety and Legal Administration Committee was held on **Tuesday, April 28, 2009 at 3:40 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 Joyce Sheperd  
The Honorable H. Lamar Willis**

The following member was absent:

**The Honorable Anne Fauver**

Others present at the meeting were: Jerry Deloach, Amber Robinson, Bill Castings and Dianne Mitchell, Law Department; Deputy Chiefs George Turner and Carlos Banda, Sergeant Edward Davis, Police Department; Deputy Chief W. Meadows, Atlanta Fire and Rescue Department; Chief Frank Sizer Department of Corrections; Greg Pridgeon and Greg Giornelli, Mayor's Officer; Senator Vincent Fort; media, public and council staff.

Chair Cleta Winslow called the meeting to order at 3:40 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**

**C. DISCUSSION ITEMS**

- (1) Application for Stimulus Grant Monies, Fire Chief, Kelvin Cochran
- (2) Special Operations, Fire Chief, Kelvin Cochran  
**(Rescheduled for next meeting 5/12/09)**

CONSENT

D. RESOLUTIONS

Claims with favorable recommendations:

- 09-R-0693 ( 1) Claim of Kathie Miles, through her attorney, Andrea Gould McCarthy, for damages alleged to have been sustained as a result of a trip and fall on a damaged sidewalk on March 17, 2007 at 1121 Spring Street. \$15,000.00
- 09-R-0694 ( 2) Claim of Vivian T. Moore, through her attorney, Joel H. Roth, Esq., Montlick & Associates, P.C., for bodily injuries alleged to have been sustained after stepping on an un-raised water valve that was located in the crosswalk on January 28, 2008 at Pryor Street and Mitchell Street. \$9,000.00
- 09-R-0695 ( 3) Claim of Carolyn McCrary, for damages alleged to have been sustained as a result of a sewer backup on June 29, 2008 at 1369 Willis Mill Road. \$6,204.00
- 09-R-0696 ( 4) Claim of Bertha Maddox, through her attorney, Steve F. Freedman, Freedman & Sinowski, PC, for property damages alleged to have been sustained due to an automobile accident on October 18, 2007 at Marietta Street, NW and Moores Mill Road, NW. \$5,250.00
- 09-R-0697 ( 5) Claim of Waffle House, for damages alleged to have been sustained due to flooding during the reconnection of water service on January 6, 2009 at 250 Northridge Road. \$4,539.75
- 09-R-0698 ( 6) Claim of Tesfazgi Beraki, for vehicular damages alleged to have been sustained due to an automobile accident on February 4, 2009 at 3535 Roosevelt Highway. \$3,695.00
- 09-R-0699 ( 7) Claim of Keith C. Jamison, for damages alleged to have been sustained as a result of an automobile accident on August 11, 2008 on Interstate 75/85 at North Avenue. \$3,500.00

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**RESOLUTIONS (CONT'D)**

**Claims with favorable recommendations:**

- 09-R-0700 ( 8) Claim of **Teresa Henderson**, for damages alleged to have been sustained as a result of storm water overflow caused by a clogged storm drain on July 11, 2005 at 1690 South Gordon. **\$3,500.00**
- 09-R-0701 ( 9) Claim of **Mark J. Ross**, for damages alleged to have been sustained as a result of sewer and storm water overflow on July 6, 2005 at 178 Atlanta Avenue. **\$3,000.00**
- 09-R-0702 (10) Claim of **Byron D. Davis**, for damages alleged to have been sustained as a result of a sewer backup on July 6, 2005 at 180 Ormond Street. **\$2,500.00**
- 09-R-0703 (11) Claim of **Vernon A. Irvin**, for damages alleged to have been sustained as a result of an automobile accident on January 12, 2009 at Marvin Miller Drive. **\$2,500.00**
- 09-R-0704 (12) Claim of **State Farm Insurance Companies, as subrogee of Willie Brown**, for damages alleged to have been sustained as a result of an automobile accident on September 4, 2007 at Metropolitan Parkway at Ralph D. Abernathy Boulevard. **\$2,370.79**
- 09-R-0705 (13) Claim of **Christian Wooten**, for damages alleged to have been sustained as a result of a vehicular accident on February 25, 2009 at 651 14<sup>th</sup> Street. **\$2,030.31**
- 09-R-0706 (14) Claim of **Len Peters**, for damages alleged to have been sustained as a result of storm water overflow on July 5, 2005 at 172 Ormond Street. **\$1,500.00**
- 09-R-0707 (15) Claim of **Christopher R. Naylor**, for vehicular damages alleged to have been sustained due to an automobile accident on September 22, 2008 at 3330 Piedmont Road, NE and Tower Place, NE. **\$1,356.18**

**RESOLUTIONS (CONT'D)**

**Claims with favorable recommendations:**

- 09-R-0708 (16) Claim of **Jeanette Blawn**, for damages alleged to have been sustained as a result of an automobile accident on August 7, 2008 at 1123 Northside Drive. **\$1,236.57**
- 09-R-0709 (17) Claim of **Atlanta Gas Light Company, through its attorney, John C. Williams**, for damages alleged to have been sustained during the repair of a sewer main on November 7, 2008 at 4205 Roswell Road, NW. **\$1,065.01**
- 09-R-0710 (18) Claim of **GEICO, as subrogee of Lisa Johnson**, for damages alleged to have been sustained as a result of a vehicular accident on August 25, 2008 at Campbellton Road and Butner Road. **\$811.63**
- 09-R-0711 (19) Claim of **Progressive Insurance Company, as subrogee of Freddie Wallace**, for damages alleged to have been sustained as a result of a vehicular accident on November 1, 2008 at 2125 Joseph E. Boone Boulevard. **\$792.10**
- 09-R-0712 (20) Claim of **Leigh Anne Neal**, for vehicular damages alleged to have been sustained after driving over a sanitary sewer construction site on December 10, 2008 at DeKalb Avenue and Brooks Avenue. **\$750.00**
- 09-R-0713 (21) Claim of **AT&T**, for damages alleged to have been sustained during the repair of a water main break on November 18, 2008 at 734 Connell Road. **\$700.10**
- 09-R-0714 (22) Claim of **Greg 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. **\$595.94**

**Claims with unfavorable recommendations:**

- 09-R-0715 (23) Claim of **Malinda Ross**, for damages alleged to have been sustained due to flooding as a result of a creek overflow on July 6, 2005 at 3636 Barrow Place, SW.

**RESOLUTIONS (CONT'D)**

**Claims with favorable recommendations:**

- 09-R-0716 (24) Claim of **Malinda Ross**, for damages alleged to have been sustained due to flooding as a result of a creek overflow on August 13, 2005 at 3636 Barrow Place, SW.
- 09-R-0717 (25) Claim of **Susan Cotton, through her attorney, Sam L. Starks**, for damages alleged to have been sustained as a result of flooding on July 13, 2008 at 850 and 852 Confederate Avenue.
- 09-R-0718 (26) Claim of **Praxis Consulting, LLC, as subrogee of Carl Bickham**, for damages alleged to have been sustained as a result of an automobile accident on December 11, 2007 on Interstate 285 NB at Bolton Road.
- 09-R-0719 (27) Claim of **Lindsay Marbury, through her attorney, Lee Tarte Wallace, Esq., The Wallace Law Firm**, for bodily injuries alleged to have been sustained from being thrown from a bicycle due to riding over storm drains on July 30, 2008 at 1176 Memorial Drive, SE and Moreland Avenue, SE.
- 09-R-0720 (28) Claim of **Atlanta Bicycle Campaign, through its attorney, E. Kendrick Smith**, for damages alleged to have been sustained during a traffic calming project in 2006 on East Wesley Road.
- 09-R-0721 (29) Claim of **Georgia McCloudy**, for damages alleged to have been sustained to his trees during the installation of a storm sewer line on April 26, 2007 at 1528 Alder Lane, SW.
- 09-R-0722 (30) Claim of **Tracy Dummett**, for damages alleged to have been sustained from a police shooting incident on October 16, 2008 at 1500 Langston Avenue.  
**(Councilmember Shepherd made a motion to hold for further review by the Law Department.)**

**HELD**

**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 09-R-0723 (31) Claim of **Dollye Ruth Thomas**, for property damages alleged to have been sustained from storm water overflow from a creek on an unspecified date at 2158 Penelope Street, NW.
- 09-R-0724 (32) Claim of **Charles Williams**, for property damages alleged to have been sustained from storm water overflow starting from September 2003 at 2026 Philips Drive.
- 09-R-0725 (33) Claim of **Georgia Morgan**, for damages alleged to have been sustained due to flooding between July 6, 2005 and August 13, 2005 at 2559 Ivydale Drive.
- 09-R-0726 (34) Claim of **Moses Ukoh**, for damages alleged to have been sustained as a result of driving over a pothole on August 7, 2008 at 1328 DeKalb Avenue.
- 09-R-0727 (35) Claim of **Allstate Insurance Company, as subrogee of Trevor Hosch**, for damages alleged to have been sustained as a result of an automobile accident on July 23, 2008 at 321 10<sup>th</sup> Street.
- 09-R-0728 (36) Claim of **Atlanta Gas Light, through their attorney, John Williams**, for damages alleged to have been sustained as a result of construction work on February 27, 2008 at 555 Holly Street.
- 09-R-0729 (37) Claim of **Marvin Barber**, for damages alleged to have been sustained as a result of driving over an unsecured construction cut on August 5, 2008 at 10<sup>th</sup> Street and Monroe Drive.
- 09-R-0730 (38) Claim of **Comcast, c/o Phoenix Loss Control**, for damages alleged to have been sustained as a result of a severed cable line on February 20, 2009 at 1227 Church Street, Decatur.

**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 09-R-0731 (39) Claim of **Arthur Thomas, Jr.**, for vehicular damages alleged to have been sustained from striking an unfixed pedestrian sign that was located in the road on November 21, 2008 at 481 Clifton Road, NE.
- 09-R-0732 (40) Claim of **James P. Chess**, for vehicular damages alleged to have been sustained from an automobile accident on February 4, 2009 at West Marietta Street, NW and Marietta Road, NW.
- 09-R-0733 (41) Claim of **Dorothy Anderson**, for damages alleged to have been sustained as a result of striking a fire hydrant on December 8, 2008 at 2 Candler Road, SE.
- 09-R-0734 (42) Claim of **Matthew H. Weldon**, for damages alleged to have been sustained to his mail box during a sanitation pickup on January 14, 2009 at 936 Beaverbrook Drive, NW.
- 09-R-0735 (43) Claim of **Ester Smith**, for damages alleged to have sustained as a result of a water meter leak in August 22, 2008 at 2941 Tejas Trail, SW.
- 09-R-0736 (44) Claim of **GEICO Direct, as subrogee of Scott Lauer**, for vehicular damages alleged to have been sustained from driving over a construction site on August 16, 2008 at 861 Rock Springs Road, NE.
- 09-R-0737 (45) Claim of **Sandra M. Robbins**, for vehicular damages alleged to have been sustained from driving over a construction site on January 6, 2009 at 1150 Collier Road, NE.
- 09-R-0738 (46) Claim of **Tyreal Lewis**, for property damages alleged to have been sustained due to an automobile accident on July 10, 2008 at Marietta Street, NW and Northside Drive, NW.
- 09-R-0739 (47) Claim of **Nell Delores Vines**, for damages alleged to have been sustained to several trees during a sewer project between 1998 and 2000 at 1522 Woodland Avenue, SE.

**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 09-R-0740 (48) Claim of **Effie K. Wilson**, for vehicular damages alleged to have been sustained due to an automobile accident on February 20, 2009 at 1645 Moreland Avenue, SE.
- 09-R-0741 (49) Claim of **Noverto Maltos**, for vehicular damages alleged to have been sustained from driving over a construction site on February 7, 2009 at 1150 Collier Road, NE.
- 09-R-0742 (50) Claim of **Atlanta Taxicab Industry Association, through its attorney, Kristofer R. Schleicher, Esq., Joyce Thrasher Kaiser & Liss, LLC**, for damages alleged to have been sustained from civil rights violations from August 2008 through October 2008 at 675 Ponce de Leon, Avenue, NE.
- 09-R-0743 (51) Claim of **Dale Blum Roberts**, for bodily injuries alleged to have been sustained from tripping on a storm sewer in the sidewalk on February 5, 2009 at 2900 Peachtree Road, NE.
- 09-R-0744 (52) Claim of **City of College Park, through its attorney, Steven M. Fincher, Esq., Fincher, Denmark, Williams, LLC**, for damages alleged to have been sustained regarding the unlawful and injurious Airport Runway and Aircraft Flight Path Modification/Expansion on an unspecified date within the city limits of College Park, Georgia.
- 09-R-0745 (53) Claim of **Christopher A. Henry**, for vehicular damages alleged to have been sustained when a mailbox was struck by the driver of a stolen vehicle which was being pursued by Atlanta Police on March 17, 2009 at 2210 Ridgedale Road.
- 09-R-0746 (54) Claim of **Nyeta Allen Lynch, through her attorney, Ronald A. Clearfield, Esq., Clearfield, Kofsky & Penneys**, for bodily injuries alleged to have been sustained as a result of an unspecified incident that occurred on February 23, 2009 at 395 Piedmont Avenue, NE.

**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 09-R-0747 (55) Claim of **Lenora Reed, through her attorney, L. Chris Stewart, Esq., Morgan & Morgan**, for bodily injuries alleged to have been sustained from a slip and fall incident on October 29, 2008 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
- 09-R-0748 (56) Claim of **Amica Mutual Insurance Company, as subrogee of Willie Feaster**, for vehicular damages alleged to have been sustained when traffic signal wires fell on top of an automobile on October 25, 2008 at 2458 Memorial Drive, SE.
- 09-R-0749 (57) Claim of **Newt L. Perdue, through his attorney, Kenneth Mitchell, Esq., Giddens & Mitchell, PC**, for vehicular damages alleged to have been sustained from an automobile accident on August 1, 2008 at Ralph David Abernathy Boulevard, SW and Murphy Avenue, SW.
- 09-R-0750 (58) Claim of **Frances Jackson**, for damages alleged to have been sustained by a fallen tree limb on August 18, 2008 at 194 Palatka Street.
- 09-R-0751 (59) Claim of **Ardena Hopings**, for damages alleged to have been sustained as a result of driving over a construction cut on October 25, 2007 at 1622 Perry Boulevard.
- 09-R-0752 (60) Claim of **Atlanta American Owner, LLC and Columbia Sussex Corporation, through their attorney, Douglas F. Aholt**, for damages alleged to have been sustained as a result of flooding due to a water leak between 2002 to present at 160 Spring Street.
- 09-R-0753 (61) Claim of **Montgomery Insurance, as subrogee of Brian Holley**, for damages alleged to have been sustained while changing a light bulb on a light pole on September 5, 2008 at 1855 Lavista Road, NE.

**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 09-R-0754 (62) Claim of **Roger Whitley**, for damages alleged to have been sustained during the towing of his vehicle on January 22, 2009 at Central Avenue and Mitchell Street.
- 09-R-0755 (63) Claim of **Keith Thomas**, for damages alleged to have been sustained during a construction project on November 18, 2008 at 2655 West Road, Riverdale, Georgia.
- 09-R-0756 (64) Claim of **Grange Insurance, as subrogee of Cheryl Bolton**, for damages alleged to have been sustained as a result of striking a sidewalk protruding in the roadway on December 27, 2007 at 4465 Peachtree Dunwoody Road.
- 09-R-0757 (65) Claim of **Ruth Evelyn McGuire**, for damages alleged to have been sustained during the repair of a water meter on July 27, 2008 at 135 Peyton Road, SW.
- 09-R-0758 (66) Claim of **Antonias Philpot**, for vehicular damages alleged to have been sustained from driving over a pothole in the road on February 3, 2009 at Howell Mill Road and Defoors Road.
- 09-R-0759 (67) Claim of **Moses & Florence Blankson, through their attorney, Sam L. Starks, Esq., Martin & Jones**, for property damages allegedly sustained from flooding due to storm sewer overflow in November 2004, July and November 2005 and January 22, 2009 at 2038 Albany Drive, SW.
- 09-R-0760 (68) Claim of **Thomas Rowland, Jr.**, for vehicular damages alleged to have been sustained from driving over a pothole in the road on January 29, 2009 at 640 Flat Shoals Avenue, SE.
- 09-R-0761 (69) Claim of **Progressive Premier Insurance Company, as subrogee of Marion J. Persons**, for vehicular damages alleged to have been sustained when a traffic light fell on top of an automobile on January 8, 2009 at Spring Street & North Avenue.  
**(Councilmember Martin made a motion approve Items D1-D29 and D31-D69)**

**FAVORABLE**

**E. ORDINANCES FOR FIRST READING**

09-O-0762 ( 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 \$150,000.00 from the Office of Justice Programs, Bureau of Justice Assistance, Community Capacity Development Office and \$150,000.00 from the City of Atlanta totaling \$300,000.00 for the Weed and Seed Program in the English Avenue Community; and for other purposes.

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

09-O-0763 ( 2) 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 \$150,000.00 from the Office of Justice Programs, Bureau of Justice Assistance, Community Capacity Development Office and \$150,000.00 from the City of Atlanta totaling \$300,000.00 for the Weed and Seed Program in the Vine City Community; and for other purposes.

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

09-O-0764 ( 3) 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 the amount of \$2,008,119.00 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-0798 ( 4) An Ordinance by Public Safety and Legal Administration Committee to amend Chapter 1, Section 1-8(c)(1), of the City of Atlanta Code of Ordinances entitled "General Penalty; Continuing Violations", to allow a person convicted of a violation of the City of Atlanta Code of Ordinances to be sentenced to Home Confinement; to amend Chapter 62, Article II, Division 1, to add a new Section 62-47 to be entitled "Authority to Sentence to Home Confinement", to provide Municipal Court Judges with the discretionary authority to sentence persons convicted of violations of the City of Atlanta Code of Ordinances to Home Confinement; and for other purposes.

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

09-O-0799 ( 5) An Ordinance by Public Safety and Legal Administration Committee authorizing the Mayor or her designee to assess a Hazardous Materials Fee for responses which require services and resources from the Atlanta Fire and Rescue Department as a result of a negligent act of commercial contractors or privately owned companies, on behalf of the Atlanta Fire and Rescue Department; and for other purposes. **(To be advertised for a Public Hearing and referred to NPU's)**

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

09-O-0800 ( 6) An Ordinance by Public Safety and Legal Administration Committee authorizing the Mayor or her designee to assess a User Fee to non-city residents responsible for the Deployment of Fire and Rescue resources caused by a motor vehicle crash or fire which creates a hazardous condition to the community and/or when Emergency Medical Services are required, on behalf of the Atlanta Fire and Rescue Department; and for other purposes. **(To be advertised for a Public Hearing and referred to NPU's)**

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

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

- 09-O-0801 ( 7) An Ordinance by Public Safety and Legal Administration Committee authorizing the Mayor or her designee to assess a Response Fee for providing to Private Emergency Medical Service (EMS) companies, assistance loading, unloading or moving patients on non-emergency alarms on behalf of the Atlanta Fire and Rescue Department; and for other purposes. **(To be advertised for a Public Hearing and referred to NPU's)**

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

- 09-O-0804 (8) An Ordinance by Public Safety and Legal Administration Committee amending Chapter 98, Article IV of the City Code of Ordinances entitled "Department of Corrections" so as to set forth that fees for copying records of the Department of Corrections shall be as established by Chapter 2, Article XIV of the City of Atlanta Code of Ordinances; and for other purposes.

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

**REGULAR**

**F. ORDINANCES FOR SECOND 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.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

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

- 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 the 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.  
**(Councilmember Hall made a motion to approve.)**

**FAVORABLE**

- 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.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

**G. RESOLUTIONS**

- 09-R-0621 ( 1) 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. **(Referred back by Council 4/20/09)**  
**(Councilmember Winslow made a motion to hold.)**

**HELD**

**RESOLUTIONS (CONT'D)**

- 09-R-0686 ( 2)     A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to enter into and execute a Mutual Aid Agreement with Clayton County to provide Mutual Aid and Assistance between the City of Atlanta Police Department at Hartsfield-Jackson Atlanta International Airport and the Clayton County Police Department; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

- 09-R-0687 ( 3)     A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to accept, on behalf of the Department of Police, a grant 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.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

- 09-R-0688 ( 4)     A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor or her designee to accept a new Mako BAM-09H Fixed Air Compressor Unit from B & T Enterprises, valuing \$34,000.00 and trade out the outdated existing fixed unit for the purpose of enhancing the self contained Breathing Apparatus Program and oxygen delivery capabilities of the Atlanta Fire and Rescue Department; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

**RESOLUTIONS (CONT'D)**

- 09-R-0689 ( 5)     A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor or her designee to enter into a Contract with Booth Research, Incorporated, for FC-4828, on behalf of the Department of Fire and Rescue in an amount not to exceed \$129,000.00 for the purpose of providing promotional examinations for Fire Captains and Lieutenants; all costs to be charged to and paid from Fund-1001, Department-230102, Account-7212001, Function Activity-3510000; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

- 09-R-0690 ( 6)     A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor, on behalf of the City of Atlanta, to enter into an Interlocal Agreement, in order to share funds from the U. S. Department of Justice 2009 Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program, in the amount of \$5,654,431.00, for the purpose of hiring Police Department Personnel, purchasing police equipment, training and services; and for other purposes.  
**Councilmember Willis made a motion to approve.)**

**FAVORABLE**

- 09-R-0691 ( 7)     A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to enter into a Lease Agreement with the Halpern-Oppenheimer Family Foundation for the rental of 700 square feet of office space located at 3565-10 Martin Luther King, Jr. Drive, Atlanta Georgia, to be used for a Department of Police Zone Four Mini-Precinct, from the period of August 1, 2009 until July 31, 2012 at a rental rate of \$1 for the year to be charged to and paid from 1001.240412.5223103.3223000; and for other purposes.  
**Councilmember Hall made a motion to approve.)**

**FAVORABLE**

**RESOLUTIONS (CONT'D)**

- 09-R-0692 ( 8)     A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to renew a Lease Agreement with the Trustees, Israel Baptist Church, for the rental of 9,000 square feet of office space located at 2025 Hosea Williams Drive, SE Atlanta Georgia, for a Department of Police Zone Six-Precinct, from the period of October 1, 2009, until September 30, 2012 at a rental rate of \$76,411.56 a year to be charged to and paid from 1001.240424.5223103.3223000; and for other purposes. **(Councilmember Hall made a motion to approve.)**

**FAVORABLE**

**H.   PAPERS HELD IN COMMITTEE**

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

**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**

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

07-O-1525 ( 3) 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 ( 4) 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 ( 5) 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

PAPERS HELD IN COMMITTEE (CONT'D)

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 ( 6) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to approve or reject the decision of the evaluator presiding in the early neutral evaluation process, an alternative dispute resolution process, in the matter of Veolia Water North America Operating Services, LLC v. City of Atlanta, in the U.S. District Court, Northern District of Georgia, Civil Action No. 06-CV-1457-TWT; and for other purposes. **(Held 10/30/07 for further review)**

HELD

07-O-2513 ( 7) 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 ( 8) 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 ( 9) 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 (10) 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 (11) 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**

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

08-O-1147 (12) 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 (13) 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-1252 (14) 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 (15) 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

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

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 (16) 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**

08-O-1544 (17) 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**

PAPERS HELD IN COMMITTEE (CONT'D)

08-O-1753 (18) 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 (19) An Ordinance by Councilmembers Jim Maddox, C. T. Martin, Cleta Winslow, H. Lamar Willis, Ceasar Mitchell, Ivory L. Young, Jr., Kwanza Hall and Clair Muller **as substituted by Public Safety and Legal Administration Committee** to amend Chapter 62, Article II, Division 1, of the City of Atlanta Code of Ordinances, to create a new Section 62-27.1 which section shall provide that effective July 1, 2009, 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.) (Substituted and held 4/28/09; waiting for the Municipal Court to present its Fiscal Year 2010 Budget.) (Councilmember Hall made a motion to substitute and hold.)**

SUBSTITUTED AND HELD

08-O-2296 (20) An Ordinance by Public Safety and Legal Administration Committee **as substituted and amended 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.  
**(Councilmember Hall made a motion to approve on substitute as amended)**

FAVORABLE ON SUBSTITUTE AS AMENDED

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

08-O-2436 (21) 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 4/28/08 for a work session)**

**HELD**

09-R-0061 (22) 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 (23) 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 (24) 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**

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

09-O-0389 (25) 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 3/10/09 for further review)**

**HELD**

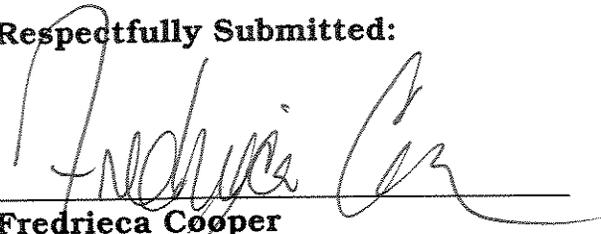
**I. ITEMS NOT ON THE MINUTES**

**J. 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.
3. The Public Safety and Legal Administration Committee made a request that the Courts be moved up on the Budget Hearing Schedule from Tuesday, May 19, 2009 in regard to Ordinance #08-O-1760.
4. Councilmember Martin made a request for David Edwards to appear before the committee's next meeting to discuss the Public Property Vending Contract with General Growth Properties.

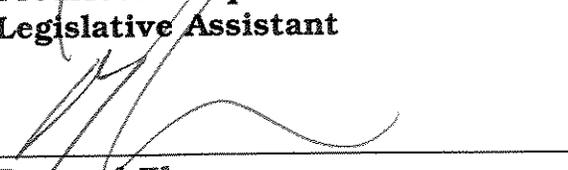
There being no further business to come before the Committee, the meeting was adjourned at 5:25 p.m.

**Respectfully Submitted:**



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**Fredrieca Cooper**  
**Legislative Assistant**



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**Bernard Thomas**  
**Research and Policy Analyst**



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