

**PUBLIC SAFETY
AND
LEGAL ADMINISTRATION COMMITTEE
MINUTES**

JULY 14, 2009

The regularly scheduled meeting of the Public Safety and Legal Administration Committee was held on **Tuesday, July 14, 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 Anne Fauver
The Honorable Kwanza Hall
The Honorable Joyce Sheperd
The Honorable H. Lamar Willis**

Others present at the meeting were: Jerry Deloach and Amber Robinson, Law Department; Deputy Chiefs Peter Andresen and Carlos Banda, Director Malachi Hull, Police Department; Deputy Chief W. Meadows, Atlanta Fire and Rescue Department; Judge D. Greene, Municipal Court; Greg Pridgeon, Mayor's Office, 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**

CONSENT

C. RESOLUTIONS

Claims with favorable recommendations:

- 09-R-1234 (1) Claim of **Dale Pratz, through his attorney, Charles Edward Lake, Jr.**, for damages alleged to have been sustained as a result of an automobile accident on June 3, 2008 at 1540 Northside Drive, NW. **\$30,000.00**

RESOLUTIONS (CONT'D)

Claims with favorable recommendations:

- 09-R-1235 (2) Claim of **Monique Riley, through her attorney, Daniel C. Jason**, for damages alleged to have been sustained as a result of an automobile accident on October 24, 2008 at 902 Donald Lee Hollowell Parkway. **\$15,000.00**
- 09-R-1236 (3) Claim of **Andrew Garrett**, for damages alleged to have been sustained as a result of walking on an uncovered water meter box on October 27, 2008 at 856 McDaniel Street. **\$5,000.00**
- 09-R-1237 (4) Claim of **Ziming Zhao**, for damages alleged to have been sustained as a result of an automobile accident on June 4, 2009 at Howell Mill Road, NW and Trabert Avenue, NW. **\$4,329.41**
- 09-R-1238 (5) Claim of **Sophonria Qualls and Charles W. Foster**, for vehicular damages alleged to have been sustained due to an automobile accident on March 7, 2009 at Atlanta Road and Cumberland Parkway. **\$3,919.08**
- 09-R-1239 (6) Claim of **Herman Pierre, Jr.**, for vehicle damages alleged to have been sustained as a result of a sewer back-up on March 2, 2009 at 1778 Valley Ridge Drive. **\$3,189.63**
- 09-R-1240 (7) Claim of **Zira Thomas**, for damages alleged to have been sustained as a result of an automobile accident to June 9, 2009 at McDaniel Street, SW and Interstate 20 WB exit. **\$2,775.00**
- 09-R-1241 (8) Claim of **Harvey Miller, Jr.**, for damages alleged to have been sustained as a result of a vehicular accident on January 30, 2009 at Central Avenue and Ralph David Abernathy Boulevard. **\$2,025.00**

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RESOLUTIONS (CONT'D)

Claims with favorable recommendations:

- 09-R-1242 (9) Claim of **Chadron Moore**, for damages alleged to have been sustained as a result of striking a pothole on April 21, 2009 at Collier Road, NW and Woodland Hill Road, NW. **\$1,802.29**
- 09-R-1243 (10) Claim of **Willie Dorsey**, for damages alleged to have been sustained as a result of a vehicular accident on July 25, 2008 at 6000 North Terminal Parkway. **\$1,253.00**
- 09-R-1244 (11) Claim of **Ronald Ross, Jr.**, for vehicle damages alleged to have been sustained as a result of driving over a raised manhole on October 26, 2008 near 2909 Castlewood Drive. **\$1,158.11**
- 09-R-1245 (12) Claim of **Ryan Holte**, for vehicle damages alleged to have been sustained as a result of a damaged water line during the installation of a sidewalk on October 6, 2008 at 1036 Los Angeles Avenue. **\$1,058.94**
- 09-R-1246 (13) Claim of **Calvin Bradford**, for damages alleged to have been sustained as a result of flooding on August 31, 2008 at 2707 Hedgewood Drive. **\$1,040.33**
- 09-R-1247 (14) Claim of **Gregory Lee**, for vehicle damages alleged to have been sustained as a result of driving over a pothole on April 12, 2009 at Pryor Street and Lakeside Avenue. **\$1,036.20**
- 09-R-1248 (15) Claim of **Martha and Deontre D. Parker**, for damages alleged to have been sustained as a result of an automobile accident on May 14, 2009 at 1140 Donald Lee Hollowell Parkway, NW. **\$1,001.50**
- 09-R-1249 (16) Claim of **Douglas Halka**, for damages alleged to have been sustained as a result of striking metal plates on December 14, 2008 at Lenox Road, NE. **\$920.73**

RESOLUTIONS (CONT'D)

Claims with favorable recommendations:

- 09-R-1250 (17) Claim of **Michael Davis**, for damages alleged to have been sustained as a result of striking a pothole on December 22, 2008 at 370 Western Avenue. **\$905.58**
- 09-R-1251 (18) Claim of **Nancy Dorough Powell**, for damages alleged to have been sustained as a result of a vehicular accident on November 6, 2008 at 3076 Saint Anne's Lane. **\$858.57**
- 09-R-1252 (19) Claim of **Antionette Grier and Jamal Pearson**, for damages alleged to have been sustained as a result of striking a pothole on April 7, 2009 on Campbellton Road, SW. **\$781.95**
- 09-R-1253 (20) Claim of **Deborah Stanton**, for damages alleged to have been sustained as a result of driving into an uncovered water meter box on September 24, 2008 at 203 Hildebrandt Drive, Sandy Springs. **\$681.25**
- 09-R-1254 (21) Claim of **Dwayne Adgar**, for damages alleged to have been sustained as a result of a trip and fall incident in an uncovered catch basin on May 24, 2008 at 56 Hilliard Street, SE. **\$634.80**
- 09-R-1255 (22) Claim of **Vicki Daniels, through her attorney, Courtney Martin**, for damages alleged to have been sustained during an arrest on July 26, 2008 at 2457 Martin Luther King, Jr. Drive.
- 09-R-1256 (23) Claim of **Yvette Bacon, through her attorney, Keenan Nix**, for damages alleged to have been sustained as a result of an automobile accident on December 4, 2008 at Cascade Road and Kimberly Road.
- 09-R-1257 (24) Claim of **Darrick Simpson**, for bodily injuries alleged to have been sustained from an automobile accident on November 19, 2006 at Fulton Industrial Boulevard and I-20 Westbound exit ramp.

RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 09-R-1258 (25) Claim of **Travis Gordon, through his attorney, Darius E. Bennett**, for damages alleged to have been sustained as a result of an automobile accident on September 19, 2008 at 1941 Myrtle Drive, SW.
- 09-R-1259 (26) Claim of **Laura Green, through her attorney, Darius E. Bennett**, for damages alleged to have been sustained as a result of an automobile accident on September 19, 2008 at 1941 Myrtle Drive, SW.
- 09-R-1260 (27) Claim of **Jambres Jennings, through her attorney, Darius E. Bennett**, for damages alleged to have been sustained as a result of an automobile accident on September 19, 2008 at 1941 Myrtle Drive, SW.
- 09-R-1261 (28) Claim of **Amanda Willis, through her attorney, Darius E. Bennett**, for damages alleged to have been sustained as a result of an automobile accident on September 19, 2008 at 1941 Myrtle Drive, SW.
- 09-R-1262 (29) Claim of **Leslie Gordon, through her attorney, Darius E. Bennett**, for damages alleged to have been sustained as a result of an automobile accident on September 19, 2008 at 1941 Myrtle Drive, SW.
- 09-R-1263 (30) Claim of **Dennis Ware, through his attorney, Thomas C. Wooldridge**, for damages alleged to have been sustained as a result of wrongful demotion on February 19, 2009.
- 09-R-1264 (31) Claim of **William Dean Shiver**, for damages alleged to have been sustained as a result of striking damaged storm grates on April 1, 2009 at 1610 Ponce de Leon Avenue.
- 09-R-1265 (32) Claim of **Tracy R. Cooper, through her attorney, Burton L. Tillman**, for damages alleged to have been sustained as a result of a trip and fall in an uncovered water meter on August 22, 2007 at 777 Pryor Street.

RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 09-R-1266 (33) Claim of **1190 Morley Avenue, SE, c/o Ralph Liss Land Design**, for damages alleged to have been sustained from potential flooding due to a road re-paving project scheduled for some future time at 1190 Morely Avenue, SE.
- 09-R-1267 (34) Claim of **Whityne A. Fort**, for damages alleged to have been sustained as a result of a trip and fall incident due to an uncovered water meter on December 3, 2008 at 38 Anderson Avenue, NW.
- 09-R-1268 (35) Claim of **Kim Phillips**, for damages alleged to have been sustained during a sewer project between February 18-23, 2009 at 630 Woodward Avenue, SE.
- 09-R-1269 (36) Claim of **Kenneth Roy Ellis**, for damages alleged to have been sustained as a result of a dispute regarding a vacant property with a third party on May 31, 2008 at 1021 Martin Luther King, Jr. Drive, NW
- 09-R-1270 (37) Claim of **Gary Luster, through his attorney, Jeffrey Kowalski**, for damages alleged to have been sustained as a result of a falling archway at Centennial Olympic Park, 285 Andrew Young International Boulevard on May 28, 2009.
- 09-R-1271 (38) Claim of **Deborah Gaston**, for damages alleged to have been sustained as a result of driving over a pothole on April 10, 2009 at Interstate 166 near Greenbriar Parkway.
- 09-R-1272 (39) Claim of **Tammy Bennett**, for damages alleged to have been sustained as a result of walking on an uncovered water meter box on December 16, 2008 at 5800 Dunwoody Place.
- 09-R-1273 (40) Claim of **AT&T Southeast Facilities**, for damages alleged to have been sustained as a result of its aerial cable being struck by a City vehicle on September 30, 2008 at 181 10th Street.

RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 09-R-1274 (41) Claim of **Paula Ogoun**, for damages alleged to have been sustained as a result of striking metal plates on January 21, 2009 at 414 Ponce de Leon Avenue, NE.
- 09-R-1275 (42) Claim of **Smith M. Boddie**, for damages alleged to have been sustained as a result of striking a manhole during a street resurfacing project on February 24, 2009 at 257 Claire Drive.
- 09-R-1276 (43) Claim of **Safeco Insurance Company, as subrogee of Todd Lewis and Jeanie Lewis**, for damages alleged to have been sustained as a result of flooding from a water hose used to test a water meter on January 28, 2009 at 195 17th Street.
- 09-R-1277 (44) Claim of **Justin Elie**, for damages alleged to have been sustained as a result of driving over a pothole on March 22, 2009 at Lavista Road and Woodland Hills.
- 09-R-1278 (45) Claim of **Andrew Peters**, for damages alleged to have been sustained as a result of driving over an unsecured construction cut on March 15, 2009 at 1556 North Decatur Road, DeKalb County.
- 09-R-1279 (46) Claim of **State Farm Insurance Company, as subrogee of Jennifer Heizer**, for damages alleged to have been sustained as a result of an automobile accident on January 21, 2009 at North Avenue and Euclid Avenue.
- 09-R-1280 (47) Claim of **Jill Torrin**, for damages alleged to have been sustained as a result of driving over a pothole on November 13, 2008 at 2900 block of Castlewood Drive.
- 09-R-1281 (48) Claim of **Miriam Nicole Hancock, through her attorney, Donald P. Edwards**, for damages alleged to have been sustained as a result of a trip and fall incident in a crosswalk on May 31, 2007 at Alabama Street and Pryor Street.

RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 09-R-1282 (49) Claim of **Leslie Gordon**, for damages alleged to have been sustained as a result of an automobile accident on September 19, 2008 at 1941 Myrtle Drive, SW.
- 09-R-1283 (50) Claim of **Stephanie Luetters**, for damages alleged to have been sustained due to a sidewalk leak on March 31, 2009 at 735 Whitemere Court, NW.
- 09-R-1284 (51) Claim of **Livingston Frederick**, for damages alleged to have been sustained during the installation of an automated water meter in May 2008 at 3390 Renaissance Circle.
- 09-R-1285 (52) Claim of **USAA, as subrogee of Clarence Roman Harbin**, for damages alleged to have been sustained as a result of an automobile accident due to a water main break on December 18, 2007 at West Paces Ferry Road and Andrews Drive.
(Councilmember Martin made a motion to approve Items C1-C52.)

FAVORABLE

D. ORDINANCES FOR FIRST READING

- 09-O-1289 (1) An Ordinance by Public Safety and Legal Administration Committee to accept a grant from the United States Department of Homeland Security (DHS), to aid the City of Atlanta's ongoing efforts to protect itself from terrorist bomb attacks through the purchase of specialized equipment, and to amend the 2010 (Intergovernmental Grant Fund) Department of Police Budget, by adding to anticipations and appropriations in the amount of \$459,700.00; and for other purposes.

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

ORDINANCES FOR FIRST READING (CONT'D)

- 09-O-1290 (2) An Ordinance by Public Safety and Legal Administration Committee amending the FY10 (Intergovernmental Grant Fund) Budget for the City of Atlanta Municipal Court, Community Court Division, by adding to anticipations and appropriations a Supplemental Award in the amount of \$50,000.00 and Grant Extension through June 30, 2010 from the Criminal Justice Coordinating Council for the purpose of continuing the provision of a Restorative Board in the English Ave./Vine City Area of Atlanta; and for other purposes.

TO BE REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

REGULAR

E. PUBLIC HEARING - ORDINANCES FOR SECOND READING

- 09-O-1069 (1) An Ordinance by Councilmember C. T. Martin to amend Section 162-260 (a), (Entitled "Fees Charged by Vehicle Immobilization Service") of the Code of Ordinances of the City of Atlanta, Georgia, so as to increase the allowable fee charged by Vehicle Immobilization Services, to the owner of any immobilized vehicle or personal property, from \$50.00 per day to \$75.00 per day; to waive conflicting ordinances; and for other purposes. **(Public Hearing held 7/14/09)**
(Held 7/14/09 for NPU notification process)
(Councilmember Winslow made a motion to hold.)

HELD

E. COMMUNICATIONS

09-C-1097 (1) A Communication from President Charis L. Johnson, League of Women Voters of Atlanta-Fulton County, to Council President Lisa M. Borders and Members of Council, submitting the League of Women Voters' appointment of **Mr. Alan H. Morris** as its representative to serve on the Atlanta Citizen Review Board. This appointment is for a term of three (3) years, scheduled to begin on the date of Council confirmation. **(Referred back from Full Council 7/6/09)**
(Councilmember Willis made a motion to approve.)

FAVORABLE - REFERRED TO COMMITTEE ON COUNCIL
(1 ABSTENTION) HALL

09-C-1098 (2) A Communication from Executive Director Cristina Beamud, Atlanta Citizen Review Board to Council President Lisa M. Borders, **as amended by Public Safety & Legal Administration Committee**, submitting the Gate City Bar Association's re-appointment of **Ms. Charis Johnson** as its representative to serve on the Atlanta Citizen Review Board. This re-appointment is for a term of three (3) years beginning retroactively to June 04, 2009 and expires on June 4, 2012. **(Referred back from Full Council 7/6/09)**
Councilmember Willis made a motion to approve.)

FAVORABLE - REFERRED TO COMMITTEE ON COUNCIL

09-C-1205 (3) A Communication from President & CEO Leona Barr-Davenport, Atlanta Business League, to President Lisa M. Borders and Members of Council submitting the Atlanta Business League's re-appointment of **Mr. Owen Montague** to serve as a member of the Atlanta Citizen Review Board. This re-appointment is for a term of three (3) years, retroactive to June 04, 2009 and expires June 04, 2012. **(Councilmember Winslow made a motion to hold.)**

HELD

F. ORDINANCES FOR SECOND READING

- 09-O-1177 (1) An Ordinance by Public Safety and Legal Administration Committee to amend Chapter 98, Law Enforcement, Article II, Department of Police, Division 2, Promotional Policy, Section 98-70, qualifications for eligibility, of the Code of Ordinances of the City of Atlanta, Georgia, so as to amend the qualifications for eligibility to compete for the rank of police sergeant so that they do not conflict with the minimum qualifications to be eligible to compete for the rank of police sergeant as set forth in Chapter 114, Personnel, Article IV, Civil Service, Division 7, Examinations, Subdivision II, Police, Fire and Corrections promotions, Section 114-236, minimum qualifications to compete; to repeal conflicting ordinances; and for other purposes.
(Councilmember Fauver made a motion to approve.)

FAVORABLE

- 09-O-1178 (2) An Ordinance by Public Safety and Legal Administration Committee to amend the Code of Ordinances of the City of Atlanta, Georgia, Chapter 162, Article II, Division 1, Section 162-36 to require that the dome lights, with which the roofs of all taxicabs must currently be affixed, be wired in such a way as to minimize the possibility of injury for the purpose of protecting the safety of taxicab drivers and passengers; and for other purposes.
(Councilmember Martin made a motion to hold.)

HELD

- 09-O-1179 (3) An Ordinance by Public Safety and Legal Administration Committee to amend the Code of Ordinances of the City of Atlanta, Georgia, Chapter 162, Vehicles for Hire, to provide for a definition of taxicab safety equipment; to require signage on applicable taxicabs alerting passengers to the presence of a Digital Security Camera System; to require the

ORDINANCES FOR SECOND READING (CONT'D)

installation of taxicab safety equipment in all taxicabs; to authorize the Chief of Police or his/her designee to establish, issue and revise rules, procedures and regulations to govern the specifications, installation and maintenance of the taxicab safety equipment, and to provide for enforcement of rules, procedures and regulations for the purpose of protecting the safety of taxicab drivers and passengers; and for other purposes.

(Councilmember Martin made a motion to hold.)

HELD

09-O-1180 (4) An Ordinance by Public Safety and Legal Administration Committee rescinding Ordinance 09-O-0083 and amending the 2009 (Intergovernmental Grant Fund) Budget, Department of Police, by adding to anticipations and appropriations in the amount of \$40,658.72, for Grant Funds from the United States Department of Justice Bulletproof Vest Partnership in the amount of \$20,329.36 and matching funds in the amount of \$20,329.36 from the General Fund Budget; and for other purposes.

(Councilmember Martin made a motion to approve.)

FAVORABLE

09-O-1181 (5) An Ordinance by Public Safety and Legal Administration Committee rescinding Ordinance 09-O-0084 and amending the 2009 (Intergovernmental Grant Fund) Budget, Department of Police, by adding to anticipations and appropriations in the amount of \$232,500.00, for a Grant Award from the Governor's Office of Highway Safety and matching funds in the amount of \$93,000.00 from the General Fund Budget, to fund the Highway Enforcement of Aggressive Traffic; and for other purposes.

(Councilmember Sheperd made a motion to approve.)

FAVORABLE

ORDINANCES FOR SECOND READING (CONT'D)

- 09-O-1182 (6) An Ordinance by Public Safety and Legal Administration Committee amending the 2010 (Intergovernmental Grant Fund) Budget, Department of Police, by adding to anticipations and appropriations in the amount of \$5,654,431.00 for an Edward Byrne Memorial Justice Assistance Grant ("JAG") Award from the United States Department of Justice; and for other purposes.
(Councilmember Martin made a motion to approve.)

FAVORABLE

G. RESOLUTION

- 09-R-1286 (1) A Resolution by Public Safety and Legal Administration Committee amending Resolution Number 07-R-2331 so as to correct the amount of damages contained in said Resolution from \$525.00 to \$2,083.92 in settlement of the claim of Jonathan Low against the City of Atlanta; and for other purposes.
(Councilmember Martin 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

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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

PAPERS HELD IN COMMITTEE (CONT'D)

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)**

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)**

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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

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 3rd 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

PAPERS HELD IN COMMITTEE (CONT'D)

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 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

PAPERS HELD IN COMMITTEE (CONT'D)

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

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.)**

HELD

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PAPERS HELD IN COMMITTEE (CONT'D)

08-O-2436 (20) 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) (Held 4/28/08 for a work session)**

HELD

09-O-0389 (21) 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

09-R-0621 (22) 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) (Held 4/28/09 for further review)**

HELD

09-R-0722 (23) Claim of **Tracy Dummett**, for damages alleged to have been sustained from a police shooting incident on October 16, 2008 at 1500 Langston Avenue. **(Held 4/28/09 at the request of Councilmember Sheperd for further review by the Law Department.)**

HELD

PAPERS HELD IN COMMITTEE (CONT'D)

- 09-O-0996 (24) An Ordinance by Councilmembers Cleta Winslow and Jim Maddox **as substituted by Public Safety and Legal Administration Committee** to amend the Charter of the City of Atlanta, Georgia adopted under and by virtue of the Authority of the Municipal Home Rule Act of 1965, O.C.G.A. Section 36-35-1, et seq., as amended, so as to amend the Charter of the City of Atlanta, Georgia, 1996 Ga. Laws P. 4469, et seq., by amending Part 1, Subpart A, Article IV (Courts); which shall be Section 4-118, to be entitled "Senior Judge" so as to create the position of Senior Judge of the Municipal Court, to set forth the duties thereof; and to set forth the compensation to be paid thereto; to repeal conflicting ordinances; and for other purposes.
(Councilmember Winslow made a motion to approve on substitute 2nd Reading, 1st Adoption)

FAVORABLE ON SUBSTITUTE - 2ND READING 1ST ADOPTION

- 09-R-1030 (25) Claim of **Fred McFarlin**, for damages alleged to have been sustained when a door was broken by firemen on February 9, 2009 at 1865 Wellborne Drive, NE. **(Held 6/9/09 at request of Councilmember Fauver.)**

HELD

- 09-O-1045 (26) An **Substitute** Ordinance by Public Safety and Legal Administration Committee to amend the Code of Ordinances of the City of Atlanta, Georgia, Chapter 162, Article II, Section 162-77 (6) so as to specifically allow companies and third parties approved by the Bureau, to administer the examination which all new applicants for driver permits must pass in order to secure their initial permits; and for other purposes. **(Substituted and held 6/30/09 for further review.)**

HELD

PAPERS HELD IN COMMITTEE (CONT'D)

- 09-R-1096 (27) A Resolution by Committee on Council **as amended by Public Safety and Legal Administration Committee** re-appointing Roderick "Rod" E. Edmond, M.D., J.D., as the City Council's representative to the Atlanta Citizen Review Board, for a term of three (3) years, to begin retroactively on June 12, 2009 and to expire June 12, 2012.
(Councilmember Willis made a motion to forward to Committee on Council with no recommendation as amended)

FORWARDED WITH NO RECOMMENDATION AS AMENDED - REFERRED TO COMMITTEE ON COUNCIL

I. REQUESTED ITEMS

1. Councilmember Sheperd made a request for a work session on liquor licensing.
2. Councilmember Willis made a request to Department of Police Major Williams to provide a briefing on an SOP that would not allow Retired Police Officers to work an extra job.
3. Councilmember Sheperd made a request for the Police Department to come back in September for an update on the Auditor's Recommendations regarding the Patrol Officer Availability Audit.
4. Councilmember Martin made a request to Malachi Hull for a copy of written complaints, the inspection checklist, and the paper work where affixed dome light wiring has been a problem.
5. Councilmember Winslow made a request to Malachi Hull that when there is a meeting of the Taxicab Industry regarding the drivers and the owners related to changes in legislation, that Public Safety and Legal Administration Committee members be notified by email.
6. Councilmember Hall made a request to Judge Deborah Greene for a chart that explains each judge's job duties and assignments.

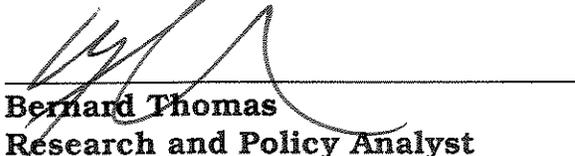
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There being no further business to come before the Committee, the meeting was adjourned at 5:36 p.m.

Respectfully Submitted:



**Fredrieca Cooper
Legislative Assistant**



**Bernard Thomas
Research and Policy Analyst**



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