

**PUBLIC SAFETY
AND
LEGAL ADMINISTRATION COMMITTEE**

MINUTES

FEBRUARY 9, 2010

The regularly scheduled meeting of the Public Safety and Legal Administration Committee was held on **Tuesday, February 9, 2010 at 3:08 p.m., in Committee Room #2.** The following members were present:

**The Honorable Ivory L. Young, Jr., Chair
The Honorable C. T. Martin
The Honorable Joyce Sheperd
The Honorable Keisha Lance Bottoms
The Honorable Natalyn M. Archibong**

The following members were absent:

**The Honorable H. Lamar Willis, Vice-Chair
The Honorable Yolanda Adrean**

Others present at the meeting were: Councilmember Michael J. Bond, Jerry Deloach, Dianne Mitchell and Amber Robinson, Law Department; Assistant Chief, Peter Andresen, Deputy Chiefs Calvin Moss, Shawn Jones, and Ernest Finley, Major Debra Williams, Chief of Staff, Erika Shields, Director Malachi Hull, Police Department, Deputy Chief Wilmond Meadows, Fire and Rescue, Raines Carter, City Solicitor; Interim Chief, Priscilla Doggett, Rubennia Woods, Department of Corrections; Cristina Beamud, Atlanta Citizen Review Board; media, public and council staff.

Chairman Young called the meeting to order at 3:08 p.m. after declaring a quorum present. He then proceeded with the following order of business.

- A. ADOPTION OF AGENDA - ADOPTED AS AMENDED TO ADD A PRESENTATION ON THE POLICE ZONE AND BEAT REALIGNMENT BY THE POLICE DEPARTMENT**

- B. APPROVAL OF MINUTES - APPROVED**

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CONSENT

C. RESOLUTIONS

Claims with favorable recommendations:

- 10-R-0244 (1) Claim of **Glenn Davenport**, for damages alleged to have been sustained as a result of flooding on September 28, 2009 at 1621 Woodbine Avenue, NE. **\$10,000.00**
- 10-R-0245 (2) Claim of **Elizabeth A. Heard**, for vehicular damages alleged to have been sustained due to an automobile accident on April 30, 2009 at Peachtree Street, NE and Peachtree Place, NE. **\$3,850.00**
- 10-R-0246 (3) Claim of **USAA, as subrogee of Andrea Winqvist**, for damages alleged to have been sustained as a result of a vehicular accident on May 21 2009 at Northside Drive and Interstate 75 northbound ramp. **\$2,854.46**
- 10-R-0247 (4) Claim of **Willie Harris**, for damages alleged to have been sustained as a result of a vehicular accident on August 5, 2009 at McDaniel Street and Ralph David Abernathy Boulevard. **\$2,336.00**
- 10-R-0248 (5) Claim of **Tracy Galasso**, for damages alleged to have been sustained as a result of an automobile accident on September 24, 2009 at 724 Monroe Drive, NE. **\$2,100.92**
- 10-R-0249 (6) Claim of **Sankan Nyanseor**, for vehicular damages alleged to have been sustained after driving over a pothole on November 12, 2009 at 1300 Chattahoochee Avenue, NW. **\$1,845.57**
- 10-R-0250 (7) Claim of **Andrea G. Roberson**, for vehicular damages alleged to have been sustained after driving over a pothole on December 3, 2009 at Chattahoochee Avenue, NW and Permalume Place, NW. **\$1,386.78**

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RESOLUTIONS (CONT'D)

Claims with favorable recommendations:

- 10-R-0251 (8) Claim of **Dorothy Wiggins and John Wiggins**, for vehicular damages alleged to have been sustained after driving over a pothole on November 5, 2009 at Chattahoochee Avenue, NW and Permalume Place, NW. **\$1,148.20**
- 10-R-0252 (9) Claim of **Melita Mitchell**, for vehicular damages alleged to have been sustained after driving over a pothole on December 1, 2009 at 1480 Chattahoochee Avenue, NW. **\$1,048.00**
- 10-R-0253 (10) Claim of **Kathryn Y. Bouchillon**, for vehicular damages alleged to have been sustained after driving over a pothole on November 19, 2009 at Chattahoochee Avenue, NW and Permalume Place, NW. **\$888.09**
- 10-R-0254 (11) Claim of **Ryan Haney**, for damages alleged to have been sustained as a result of driving over a pothole on May 10, 2009 at 626 DeKalb Avenue. **\$868.85**
- 10-R-0255 (12) Claim of **David Harper**, for vehicular damages alleged to have been sustained from an automobile accident on October 31, 2009 at 710 Peachtree Street, NE. **\$703.66**
- 10-R-0256 (13) Claim of **Leticia S. Humbles**, for vehicular damages alleged to have been sustained from an automobile accident on June 12, 2009 at 1530 Woodbine Avenue, SE. **\$683.53**
- 10-R-0257 (14) Claim of **Olawale Olorunfemi**, for vehicle damages alleged to have been sustained as a result of a pothole on November 28, 2009 at Collier Drive and Harwell Road. **\$624.24**
- 10-R-0258 (15) Claim of **Betty E. Jarvis and Simona Chantal Broughton**, for damages alleged to have been sustained as a result of striking a recessed water valve in the roadway on September 23, 2009 at 2125 Joseph E. Boone Boulevard. **\$574.86**

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RESOLUTIONS (CONT'D)

Claims with favorable recommendations:

- 10-R-0259 (16) Claim of **Nikishia Thurmond**, for damages alleged to have been sustained as a result of a vehicular accident on June 8, 2009 at Benjamin E. Mays Drive and Peyton Road.
\$540.31

Claims with unfavorable recommendations:

- 10-R-0260 (17) Claim of **Atlanta Pension Funds, Membership Association, through its attorney, Matthew C. Klase**, for damages alleged to have been sustained as a result of misrepresentations of retiree health insurance benefits.
- 10-R-0261 (18) Claim of **Milton Harris**, for property damages alleged to have been sustained from storm sewer overflow on September 19, 2009 at 3841 Hogan Road, SW.
- 10-R-0262 (19) Claim of **Claire Peck**, for damages alleged to have been sustained as a result of driving over an unsecured metal plate on November 16, 2009 at 299 Glenridge Drive, Sandy Springs.
- 10-R-0263 (20) Claim of **Contravious Butron Grier**, for vehicular damages alleged to have been sustained from a false arrest on August 11, 1999 at 254 Peachtree Street, SW.
- 10-R-0264 (21) Claim of **Cascades Unit Owners Association**, for damages alleged to have been sustained when an irrigation system and landscaping were damaged from a water main break on December 9, 2008 at 2555 Benjamin E. Mays Drive, SW.
- 10-R-0265 (22) Claim of **Ramica Yvette Howard**, for damages alleged to have been sustained from retaliation treatment due to the reporting of corruption in 2002 at 55 Trinity Avenue, SW and October 2 and 7, 2009 at the Gateway Center, 275 Pryor Street.

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RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 10-R-0266 (23) Claim of **Amy Bocchino**, for damages alleged to have been sustained when a vehicle was towed on October 24, 2009 at Briarcliff Place.
- 10-R-0267 (24) Claim of **Centraarchy**, for damages alleged to have been sustained as a result of a power outage on May 14, 2009 at 1015 Crown Pointe Parkway.
- 10-R-0268 (25) Claim of **Lynese Dukes**, for damages alleged to have been sustained as a result of driving over an unsecured construction area on December 5, 2009 at Peachtree Road and Lakeview Avenue.
- 10-R-0269 (26) Claim of **JRI, Inc., through its attorney, David H. Tollner**, for damages alleged to have been sustained as a result of a breach of contract in 1996.
- 10-R-0270 (27) Claim of **Jo D. Wilson, through her attorney, W. Seaborn Jones, Esq., Owen, Gleaton, Egan, Jones & Sweeney, LLP**, for bodily injuries alleged to have been sustained from an automobile accident on January 11, 2009 at 2575 Peachtree Road and Lakeview Road.
- 10-R-0271 (28) Claim of **Douglas J. Iannelli**, for damages alleged to have been sustained when a herbie curbie which was protruding into the street, was struck by an automobile on November 19, 2009 at 1212 Monroe Drive, NE.
- 10-R-0272 (29) Claim of **Meredith Bell**, for damages alleged to have been sustained as a result of driving over a pothole on December 20, 2009 at 3315 Peachtree Road.
- 10-R-0273 (30) Claim of **Ladon Bowles**, for vehicular damages alleged to have been sustained from driving over a metal plate on March 22, 2009 at Collier Road, NW and Old Gordon Road, NW.

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RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 10-R-0274 (31) Claim of **Talaha Gaines**, for damages alleged to have been sustained from a wrongful search and seizure incident on April 14, 2009 at 2044 Campbellton Road, SW.
(Councilmember Martin made a motion to approve Items C1-C31)

FAVORABLE

REGULAR

D. ORDINANCE FOR SECOND READING

- 10-O-0307 (1) An Ordinance by Councilmembers C. T. Martin, H. Lamar Willis, Kwanza Hall, Ivory L. Young, Jr. and Aaron Watson **as substituted by Public Safety and Legal Administration Committee** to amend Chapter 62, Article II, Section 62-46 of the Code of Ordinances of the City of Atlanta, Georgia (entitled "Pretrial Diversion Fee") so as to clarify the General Fund uses for which the fees shall be allocated; to waive conflicting ordinances; and for other purposes. **(Substituted and held 2/9/10)**
(Councilmember Martin made a motion to substitute and hold for two weeks time certain.)

SUBSTITUTED AND HELD

E. RESOLUTIONS

- 10-R-0242 (1) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor or his designee to enter into a Lease Agreement with the Metropolitan Atlanta Respite & Developmental Services, Inc., for lease of rental space at 1335 Kimberly Road, Atlanta, Georgia for a monthly rate of \$3,000.00 for the purpose of operating and maintaining the temporary fire station on the premises for a term of eighteen (18) months; and for other purposes.
(Councilmember Lance Bottoms made a motion to approve.)

FAVORABLE

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RESOLUTIONS (CONT'D)

- 10-R-0243 (2) A Resolution by Public Safety and Legal Administration Committee authorizing the settlement of all claims against the City of Atlanta and Walter Rounsoville in the case of Mishon Bouyer V. Walter Rounsoville, et al., Civil Action File Number 1:08-CV-00856-RWS, United States District Court, Northern District of Georgia, Atlanta Division, in the amount of \$22,500.00; authorizing payment to be charged to and paid from Fund 1001 (General Fund), Account 5212005 (Litigation Expense), Center Number 200101 (Non-Departmental), 1512000 (Functional Activity), and authorizing payment to her Attorney, Forrest B. Johnson, Esq., Forrest B. Johnson & Associates; authorizing the chief financial officer to distribute the settlement amount; and for other purposes.
(Councilmember Sheperd made a motion to approve.)

FAVORABLE

F. PAPERS HELD IN COMMITTEE

- 10-R-0132 (1) A Resolution by Councilmember Michael J. Bond directing the City of Atlanta to apologize to the patrons and employees of the Atlanta Eagle for the alleged violations of Human and Civil Rights suffered as a result of a police raid carried out on September 10, 2009; and for other purposes. **(Held 1/12/10 for further discussions)**
- 10-R-0137 (2) A Resolution by Councilmembers Natalyn M. Archibong and C. T. Martin requesting that City Council authorize a Forensic Audit should be conducted as a result of the findings and recommendations from the Audit Report of the Public Safety Facilities Construction and the Sale of City Hall East; and for other purposes. **(Held 1/12/10 for a Joint Work Session with Finance/Executive Committee and Committee on Council) (Work Session held 2/3/10)**

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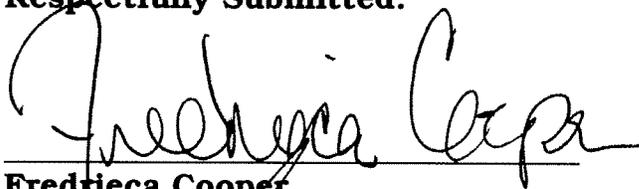
G. REQUESTED ITEMS

1. Councilmember Young made a request to Municipal Court, Office of Weed and Seed and Corrections to give a written report on how the Fund for the Offender Re-Entry Program would be used.
2. Councilmember Young and the Committee will schedule several work sessions addressing the following topics:
 - a) City Court System (Friday, February 12, 2010 at 10:00 a.m.)
 - b) 911 Systems and Operation (Wednesday, February 17, 2010 at 1:00 p.m.)
 - c) Police Zone and Beat Realignment (TBD)

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There being no further business to come before the Committee, the meeting was adjourned at 4:33 p.m.

Respectfully Submitted:



**Fredrieca Cooper
Legislative Assistant**



**Bernard Thomas
Research and Policy Analyst**



**The Honorable Ivory L. Young Jr., Chair
Public Safety and Legal Administration Committee**