

**PUBLIC SAFETY  
AND  
LEGAL ADMINISTRATION COMMITTEE**

**MINUTES**

**JULY 13, 2010**

The regularly scheduled meeting of the Public Safety and Legal Administration Committee was held on **Tuesday, July 13, 2010 at 3:30 p.m., in Committee Room #2**. The following members were present:

**The Honorable Ivory L. Young, Jr., Chair  
The Honorable H. Lamar Willis, Vice-Chair  
The Honorable C. T. Martin  
The Honorable Yolanda Adrean  
The Honorable Keisha Lance Bottoms  
The Honorable Joyce Sheperd  
The Honorable Natalyn M. Archibong**

Others present at the meeting were: Jerry Deloach, Dianne Mitchell and Amber Robinson, Law Department; Assistant Chief Peter Andresen, Deputy Chief Calvin Moss, Police Department; Katrina Parks, Mayor's Office; Cristina Beamud, Atlanta Citizen Review Board; media, public and council staff.

Chairman Young called the meeting to order at 3:30 p.m. after declaring a quorum present. He 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:**

- 10-R-1288 ( 1) Claim of **Gradine Faison, through her attorney, Daniel Jason**, for damages alleged to have been sustained as a result of walking into an uncovered water meter box on January 20, 2009 at 16 Jesse Hill, Jr. Drive. **\$50,000.00**



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**RESOLUTIONS (CONT'D)**

**Claims with favorable recommendations:**

- 10-R-1297 (10) Claim of **Max Friedman and Status Diamonds**, for damages alleged to have been sustained as a result of driving over a pothole on March 23, 2010 at 4528 Wieuca Road. **\$1,135.14**
- 10-R-1298 (11) Claim of **Rebecca Penar and Michelle Lee**, for vehicle damages alleged to have been sustained as a result of an automobile accident on April 19, 2010 at Northside Drive at 10<sup>th</sup> Street. **\$820.92**
- 10-R-1299 (12) Claim of **Jeffrey S. Adair**, for damages alleged to have been sustained as a result of striking a pothole on April 22, 2010 at 2356 Marietta Boulevard, NW and Bolton Road, NW. **\$703.07**
- 10-R-1300 (13) Claim of **Lonnie Nelson**, for damages alleged to have been sustained as a result of driving over an unsecured metal plate on November 11, 2009 at 287 10<sup>th</sup> Street. **695.40**
- 10-R-1301 (14) Claim of **Adam Terry**, for vehicle damages alleged to have been sustained as a result of driving over a pothole on February 23, 2010 at 4500 Wieuca Road. **\$647.95**

**Claims with unfavorable recommendations:**

- 10-R-1302 (15) Claim of **Brenda Pass**, for damages alleged to have been sustained as a result of driving over a raised manhole on April 13, 2010 at 630 Joseph E. Lowery Boulevard.
- 10-R-1303 (16) Claim of **National Subrogation Services, LLC, as subrogee of Christine Kalski**, for damages alleged to have been sustained as a result of a sewer backup on April 2, 2009 at 3310 West Roxboro Road.
- 10-R-1304 (17) Claim of **Christine Kalski**, for damages alleged to have been sustained as a result of a sewer backup on April 2, 2009 at 3310 West Roxboro Road.

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**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 10-R-1305 (18) Claim of **James M. Noe and Pamela Noe Godwin, through their attorney, Alan L. Newman**, for damages alleged to have been sustained as a result of a sewer backup on August 28, 2009 at 308 2<sup>nd</sup> Avenue.
- 10-R-1306 (19) Claim of **Valory Crudup, through her attorney, Kenneth S. Nugent**, for damages alleged to have been sustained as a result of stepping on a water meter cover on November 4, 2009 at Kirkwood Road and Hallman Street.
- 10-R-1307 (20) Claim of **Travelers Insurance Company, as subrogee of Timothy Arrington**, for damages alleged to have been sustained as a result of driving over a recessed storm grate on August 13, 2009 at an undisclosed location.
- 10-R-1308 (21) Claim of **Wendy Haynes**, for damages alleged to have been sustained as a result of the execution of a search warrant on December 15, 2009 at 2608 Barge Road.
- 10-R-1309 (22) Claim of **Brandon Simmons**, for damages alleged to have been sustained as a result of driving into a sinkhole on January 13, 2010 at 3191 Kingsdale Drive.
- 10-R-1310 (23) Claim of **Specialty Risk Services, as subrogee of Shawna Harvey**, for damages alleged to have been sustained as a result of a fall on an uneven area in a crosswalk on May 13, 2009 at 200 Marietta Street.
- 10-R-1311 (24) Claim of **Shawna Harvey**, for damages alleged to have been sustained as a result of a fall on an uneven area in a crosswalk on May 13, 2009 at 200 Marietta Street.
- 10-R-1312 (25) Claim of **Aron Glinsky**, for damages alleged to have been sustained as a result of driving over a traffic control device on May 25, 2010 at Freedom Parkway and Boulevard.

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**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 10-R-1313 (26) Claim of **Archie Stroud**, for damages alleged to have been sustained as a result of a trip and fall in an uncovered water meter on October 3, 2009 at Peachtree and Wall Streets.
- 10-R-1314 (27) Claim of **Paris Craig, through her attorney, Vernon Cloud**, for damages alleged to have been sustained as a result of walking into a broken water meter on February 22, 2009 at 241 Forsyth Street.
- 10-R-1315 (28) Claim of **Jeriel Scrubb, through his attorney, Marvin S. Arrington, Jr. Esq.**, for damages alleged to have been sustained during an arrest on December 9, 2009 at 1210 Caroline Street, SE.
- 10-R-1316 (29) Claim of **Willie Ruiz, III**, for damages alleged to have been sustained as a result of striking a pothole on April 18, 2010 at 4492 Roswell Road, NE.
- 10-R-1317 (30) Claim of **JoAnna Powell**, for damages alleged to have been sustained as a result of the erroneous discard of a trash receptacle on January 7, 2008 at 1661 Maldo Drive.
- 10-R-1318 (31) Claim of **Ethele Edwards, through her attorney, Leslie Scott Jean-Bart**, for damages alleged to have been sustained as a result of tripping on a carpet roll on February 22, 2010 in the Georgia World Congress Center, 285 International Boulevard.
- 10-R-1319 (32) Claim of **Debra J. Jankowski**, for property damages alleged to have been sustained from a sewer backup on September 21, 2009 through February 4, 2010 at 597 Martina Drive.
- 10-R-1320 (33) Claim of **Sylvia Lukowiak, through her attorney, Lisa Siegel, Esq., Katz, Stepp & Wright, LLC**, for bodily injuries alleged to have been sustained from a slip-and-fall incident on April 1, 2010 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.

**RESOLUTIONS (CONT'D)**

**Claims with unfavorable recommendations:**

- 10-R-1321 (34) Claim of **Patricia Salgado**, for bodily injuries alleged to have been sustained from a trip-and-fall incident on March 9, 2010 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
- 10-R-1322 (35) Claim of **Jeanne Williams, through her attorney, Jonathan A. Pope, Hasty Pope, LLP**, for bodily injuries alleged to have been sustained from a slip-and-fall incident on April 24, 2010 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
- 10-R-1323 (36) Claim of **Ceteria Ward, through her attorney, Schaefer Law Group, LLC**, for bodily injuries alleged to have been sustained from a trip-and-fall incident on an escalator on December 25, 2009 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
- 10-R-1324 (37) Claim of **Adela Reteguín, through her attorney, Warren E. Danz, P.C.**, for bodily injuries alleged to have been sustained from a trip-and-fall incident on an escalator on May 14, 2010 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.  
**(Councilmember Adrean made a motion to approve Items C1-C37)**

**FAVORABLE**

**REGULAR**

**D. COMMUNICATION**

- 10-C-1253 ( 1) A Communication from Diane O' Steen, Executive Director, Atlanta Bar Association submitting their appointment of **Ms. Deborah S. Butera** to serve as a member of the Atlanta Citizen Review Board. This appointment is for a term of three (3) years, scheduled to begin on the date of Council confirmation.  
**(Councilmember Lance Bottoms made a motion to approve.)**

**FAVORABLE - REFERRED TO COMMITTEE ON COUNCIL**

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**E. ORDINANCES FOR SECOND READING**

- 10-O-1214 ( 1) A **Substitute** Ordinance by Public Safety and Legal Administration Committee amending the 2010 (Intergovernmental Grant Fund) Budget, Department of Police by anticipating and appropriating the amount of \$4,868,954.00 in grant funds from the White House Office of National Drug Control Policy (“White House”) for the continuation of the High Intensity Drug Trafficking Area (“HIDTA”) Task Force and continued disruption of Drug Trafficking Organizations; to repeal Ordinance #10-O-0733, adopted May 17, 2010 and approved May 25, 2010; and for other purposes.  
**(Councilmember Martin made a motion to approve on substitute.)**

**FAVORABLE ON SUBSTITUTE**

- 10-O-1337 ( 2) An Ordinance by Councilmembers Kwanza Hall, Michael J. Bond, Aaron Watson, Alex Wan, C. T. Martin, Cleta Winslow, Keisha Lance Bottoms, Ivory L. Young, Jr., Yolanda Adrean and Joyce Sheperd **as substituted by Public Safety and Legal Administration Committee** authorizing the payment of Public Safety Expenditures through UASI Federal Grant Funds; authorizing the Chief Financial Officer to amend the 2007 UASI Grant Fund Expenditures for Radio Preventative Maintenance (“Maintenance”) in the amount of \$203,000.00 and placing said expenditure in the 2006 UASI Grant Fund; amending the 2006 UASI Grant Fund Expenditures for assembly and completion of a Mobile Command and Surveillance Vehicle (The “Vehicle”) in the amount of \$203,000.00 and placing said Expenditure in the 2007 UASI Grant Fund; allowing the switch in grant year expenditures in order to allow the vendor to complete the vehicle and paying for said vehicle with UASI Federal Funds; and for other purposes.  
**(Councilmember Martin made a motion to approve on substitute.)**

**FAVORABLE ON SUBSTITUTE**

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

- 10-O-1342 ( 3) An Ordinance by Councilmembers Kwanza Hall, Michael J. Bond, Aaron Watson, Alex Wan, C. T. Martin, Felicia A. Moore and Ivory L. Young, Jr., to amend Chapter 10, Article II, Division 3 of the Code of Ordinances of the City of Atlanta, Georgia by creating a new Section 10-130 to be entitled "Extended Hours Permit Pilot Program"; to temporarily waive the provisions of chapter 10, Article II, Section 10-209 (c) and (d) of the Code of Ordinances in the Edgewood Avenue/Auburn Avenue District of the City so as to allow for a Pilot Program to examine the impact of extending the permissible hours for establishments authorized to sell alcoholic beverages for on-premises consumption; to define the boundaries of the Edgewood Avenue/Auburn Avenue District; to waive conflicting ordinances for this instance only; and for other purposes.  
**(Councilmember Martin made a motion to hold.)**

**HELD**

**F. RESOLUTIONS**

- 10-R-1274 ( 1) A Resolution by Public Safety and Legal Administration Committee authorizing the settlement of all claims against the City of Atlanta in the case of Gwendolyn McDonald v. City of Atlanta, Civil Action File No. 2008-EV-006152, Fulton County State Court, in the amount of \$17,500.00; authorizing said payment to be paid from the Fund, Account and Center Numbers listed; authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

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**RESOLUTIONS (CONT'D)**

- 10-R-1275 ( 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 Donna Holt v. City of Atlanta, Georgia, Civil Action File No. 2008-EV-04057, Fulton State Court, in the total amount of \$120,000.00; authorizing said payment to be paid from the Fund, Account and Center Numbers listed; authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

- 10-R-1336 ( 3) A Resolution by Councilmembers Kwanza Hall, Michael J. Bond, Aaron Watson, Alex Wan, Clela Winslow, Keisha Lance Bottoms, Ivory L. Young, Jr., Howard Shook, and Joyce Sheperd authorizing the Mayor on behalf of the Department of Police, to accept a grant from the Georgia Criminal Justice Coordinating Council ("CJCC"), in the amount of \$4,500.00 for the purpose of anti-terrorism training; and for other purposes.  
**(Councilmember Martin made a motion to approve.)**

**FAVORABLE**

- 10-R-1343 ( 4) A Resolution by Councilmembers Kwanza Hall, Michael J. Bond, Aaron Watson, Alex Wan, Felicia A. Moore, Joyce Sheperd, Ivory L. Young, Jr., Natalyn M. Archibong and Carla Smith **as amended by Public Safety and Legal Administration Committee** to establish a task force to review the Alcoholic Beverage Licensing Process generally, from application to License Review Board consideration and to the enforcement of Alcoholic Beverage Laws, Ordinances and Regulations; to authorize the Public Safety and Legal Administration Committee to determine the membership structure of the Task Force; and for other purposes.  
**(Councilmember Young made a motion to amend and hold.)**

**AMENDED AND HELD (1 ABSTENTION) WILLIS**

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**G. 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 discussion.)**
- 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)**
- 10-O-0397 ( 3) An Ordinance by Councilmember H. Lamar Willis **as substituted by Public Safety and Legal Administration Committee** amending Section 162-227 and Section 162-232 of the City of Atlanta Code of Ordinances so as to establish fees for the administrative costs associated with nonconsensual motor vehicle towing; and for other purposes. **(Public Hearing held 4/27/10) (Held 4/27/10 for further evaluation and review.)**
- 10-O-0399 ( 4) An Ordinance by Councilmember Ivory L. Young, Jr. to amend Article XXIII, ("Vending on Public Property") of Chapter 30, ("Businesses"), Section 30-1436 ("Disabled Veterans"), of the Code of Ordinances of the City of Atlanta, Georgia, so as to expressly exempt Disabled Veterans from participation in the Public Vending Management Program; and for other purposes. **(Held 2/23/10 for further review.)**

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

- 10-R-0727 ( 5) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to enter into a Maintenance Agreement with Courtview Justice Solutions, pursuant to FC-6004007843, Automated Court Case Management System, on behalf of the Municipal Court of Atlanta for a period of one (1) year in FY11, in an amount not to exceed \$155,456.00; all costs to be charged to: Fund, Department, Account, and Function Activity: 1001 (General Fund), 190101 (Municipal Court Operations), 5212001 (Consultant Professional Services), 2650000 (Municipal Courts); and for other purposes. **(Held 4/27/10 for a Work Session)**
- 10-O-0728 ( 6) An Ordinance by Public Safety and Legal Administration Committee to amend Chapter 30, Article VIII, of the City of Atlanta Code of Ordinances to clearly distinguish between legitimate Escorts Holding Permits issued by the City of Atlanta under its police powers, and persons who perform Criminal Acts as determined by State Law; and for other purposes. **(Held 5/11/10 for further review.)**
- 10-R-0855 ( 7) Claim of **Ron Tuso**, for damages alleged to have been sustained as a result of a sewer backup on November 10, 2009 at 1850 Memorial Drive. **(Held 5/11/10 for further review by the Law Department)**

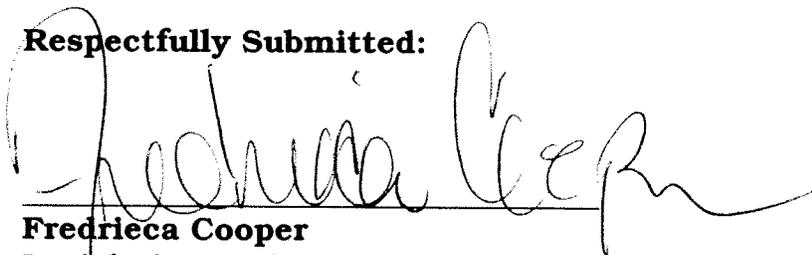
**H. REQUESTED AND FOLLOW-UP ITEM**

- ( 1) The Police Department will present to the Public Safety and Legal Administration Committee, a Zone and Beat Realignment Plan at the July 27, 2010 meeting.

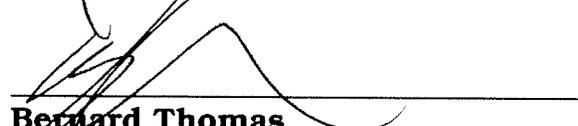
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**There being no further business to come before the Committee, the meeting was adjourned at 4:55 p.m.**

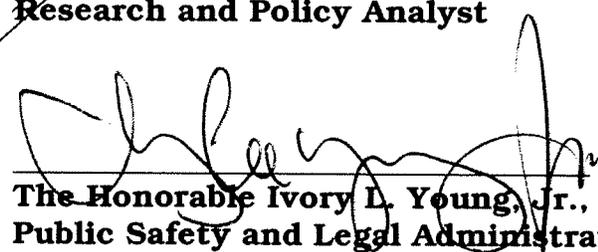
**Respectfully Submitted:**



**Fredrica Cooper  
Legislative Assistant**



**Bernard Thomas  
Research and Policy Analyst**



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