

**PUBLIC SAFETY  
AND  
LEGAL ADMINISTRATION COMMITTEE**

**MINUTES**

**DECEMBER 13, 2011**

The scheduled meeting of the Public Safety and Legal Administration Committee was held **Tuesday, December 13, 2011 at 3:11 p.m., in Committee Room #2**. The following members were present:

**The Honorable Ivory L. Young, Jr., Chair  
The Honorable Michael J. Bond, Vice-Chair  
The Honorable C. T. Martin  
The Honorable Alex Wan  
The Honorable Yolanda Adrean  
The Honorable Keisha Lance Bottoms  
The Honorable Joyce Sheperd**

Others present at the meeting were: Deputy City Attorney, Eric Richardson, Amber Robinson, Gwen Burns, Law Department; Deputy Chiefs Ernest Finley, Calvin Moss and Shawn Jones, Police Department; Karen Rogers, Office of the Mayor; media, public and council staff.

Chairman Young called the meeting to order at 3:11 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:**

11-R-1796 ( 1) Claim of **Allstate Insurance Company, as subrogee of Dale Conner (DWM/01)**, for damages alleged to have been sustained as a result of a vehicular accident on September 16, 2010 at 930 Moreland Avenue. **\$4,517.82**

11-R-1797 ( 2) Claim of **James Jackson, through his attorney, Todd Walkoff (DPW/03)**, for damages alleged to have been sustained as a result of a vehicular accident on January 24, 2011 at 1255 North Avenue. **\$4,100.00**

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**RESOLUTIONS (CONT'D)**

**Claims with favorable recommendations:**

- 11-R-1798 ( 3)      Claim of **Allstate Insurance Company, as subrogee of Heidy Fuentes (APD/02)**, for property damages alleged to have been sustained from an automobile accident on February 19, 2011 at Courtland Street, SE and Decatur Street, SE. **\$4,089.65**
- 11-R-1799 ( 4)      Claim of **Nichelle Ellis, through her attorney, Todd Walkoff (DPW/03)**, for damages alleged to have been sustained as a result of a vehicular accident on January 24, 2011 at 1255 North Avenue. **\$3,300.00**
- 11-R-1800 ( 5)      Claim of **Victor Johnson, through his attorney, William Schneider (APD/05)**, for damages alleged to have been sustained as a result of a vehicular accident on January 30, 2011 at 1393 Hosea L. Williams Drive. **\$3,200.00**
- 11-R-1801 ( 6)      Claim of **USAA, as subrogee of Bryan Paden (APD/12)**, for damages alleged to have been sustained as a result of a vehicular accident on January 4, 2011 at 215 Lakewood Way. **\$1,722.05**

**Claims with unfavorable recommendations:**

- 11-R-1802 ( 7)      Claim of **Tametrak Huckaby, through her attorney, Michael Rubin (APD/03)**, for damages alleged to have been sustained as a result of a vehicular accident on July 7, 2011 at 1742 Donald Lee Hollowell Parkway.
- 11-R-1803 ( 8)      Claim of **Elvira Karch, through her attorney, Lynn S. Walker, Esq., Montlick & Associates, P.C. (DOA/NA)**, for bodily injuries alleged to have been sustained from a slip-and-fall incident on June 5, 2011 at Hartsfield-Jackson International Airport, 8700 Spine Road.
- 11-R-1804 ( 9)      Claim of **Jennifer A. Graham (DWM/02)**, for damages alleged to have been sustained as the result of a bicycle accident on June 9, 2011 at North Avenue between Marietta Street and Northyards Boulevard.  
**(Councilmember Wan made a motion to approve Items C1-C9)**  
**FAVORABLE**

**REGULAR**

**D. COMMUNICATION**

- 11-C-1792 ( 1) A Communication by Council President Ceasar C. Mitchell appointing **Ms. Martha Porter Hall** to serve as a member of the Atlanta Alcohol Technical Advisory Group II (ATAG), scheduled to begin on the date of Council confirmation.  
**(Councilmember Bond made a motion to approve)**

**FAVORABLE - REFERRED TO COMMITTEE ON COUNCIL**

**E. ORDINANCES FOR SECOND READING**

- 11-O-1694 ( 1) A **Substitute** Ordinance by Public Safety and Legal Administration Committee amending the 2012 (Intergovernmental Grant Fund) Budget, Department Of Police ("Department"), by adding to anticipations and appropriations in the amount of \$93,400.00, for a Grant Award from the Governor's Office of Highway Safety, and matching funds in the amount of \$140,200.00) from the General Fund Budget; to reimburse some of the department's costs of Traffic Law Enforcement, and to promote safety on the roadways and for other purposes.  
**(Councilmember Bond made a motion to approve on substitute.)**

**FAVORABLE ON SUBSTITUTE**

- 11-O-1717 ( 2) A **Substitute** Ordinance by Public Safety and Legal Administration Committee amending the 2011 (Intergovernmental Grant Fund) Budget, Office of the Mayor, by adding to anticipations and appropriations in the amount of \$39,494.00, from the State of Georgia Governor's Office of Children and Youth, and \$25,448.00 from the City of Atlanta Matching Funds for the Intensive Surveillance Officers Program; and for other purposes.  
**(Councilmember Wan made a motion to approve on substitute.)**

**FAVORABLE ON SUBSTITUTE**

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**F. RESOLUTION**

- 11-R-1789 ( 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 State Farm Mutual Automotive Insurance Company a/s/o Todd Stephens v. the City of Atlanta, Civil Action File No. 10EV010908A, in the amount of \$3,442.12; authorizing said payment to be charged to and paid from Fund, Department, Account, and Function Activity listed; authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.  
**(Councilmember Wan made a motion to approve.)**

**FAVORABLE**

**G. PAPERS HELD IN COMMITTEE**

- 10-R-0137 ( 1) 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 ( 2) 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) (Substituted and held 4/27/10 for further evaluation and review.)**
- 10-O-0399 ( 3) 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-O-0728 ( 4)     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 ( 5)     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)**
- 10-O-1173 ( 6)     An Ordinance by Councilmembers Ivory L. Young, Jr. and C. T. Martin imposing a Ninety (90) Day Moratorium on the City's Public Property Vending Program; to create a subcommittee to study and review the operation of the Public Property Vending Program; to waive conflicting ordinances; and for other purposes. **(Referred back from Council 7/19/10) (Held 7/27/10 for further review)**
- 10-O-1342 ( 7)     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. **(Held 7/13/10 for further discussion)**

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

- 10-R-1343 ( 8)     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. **(Amended and held 7/13/10 for further discussion)**
- 10-R-1813 ( 9)     A Resolution by Councilmember Michael J. Bond requesting the Atlanta Police Department (APD) to study the feasibility of increasing the collaboration with the Atlanta Public Schools (APS) Security Operations; and for other purposes. **(Held 10/12/10, at the request of the author)**
- 10-O-1880 (10)     An Ordinance by Councilmembers Kwanza Hall, Aaron Watson, H. Lamar Willis, Michael J. Bond, Natalyn Archibong, Keisha Lance Bottoms, Alex Wan and Carla Smith authorizing the operation of Human-Drawn Vehicles (Pedicabs) within the City of Atlanta; to establish requirements and regulations for such program; and for other purposes. **(Held 10/26/10 for further review at the request of the author)**
- 10-O-2228 (11)     An Ordinance by Councilmember H. Lamar Willis **as amended by Public Safety and Legal Administration Committee** amending the City of Atlanta Code of Ordinances so as to add a new Section 2-1719, prohibition against the use of cell phones by City Employees while operating a vehicle in the performance of city business; and for other purposes. **(Held 12/14/10 for further review by the Law Department.) (Amended and held 3/1/11)**

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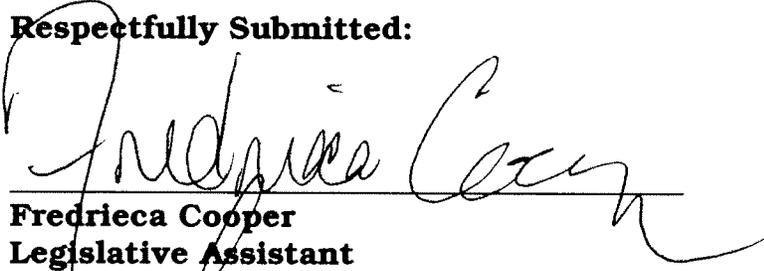
**PAPERS HELD IN COMMITTEE (CONT'D)**

- 11-R-0772 (12) A Resolution by Councilmembers Michael J. Bond and Ivory Lee Young, Jr. to amend the Contract with U. K. - LaSalle LLC, (an entity affiliated with General Growth Properties, Inc.) for the Administration and Management of the Public Vending Program, so as to grant a first right of refusal to vendors who currently hold vending permits or who formerly held vending permits as of November 21, 2001, for vending locations around Turner Field; and for other purposes. **(Held 5/10/11 for further discussions)**
- 11-R-0929 (13) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor or his designee to exercise renewal options with Wrecker Service Vendors listed on Contract FC-6008000003 ("Contract"), for Wrecker Services for vehicles under two (2) tons, on behalf of the Department of Police, all revenues generated under this contract shall be deposited as described in this resolution; and for other purposes. **(Referred back by Full Council 10/3/11) (Held 10/11/11 for further review)**
- 11-O-0996 (14) An Ordinance by Councilmembers Felicia A. Moore, Natalyn Archibong, Joyce Sheperd, Michael J. Bond, Yolanda Adrean, Kwanza Hall and Alex Wan to amend Section 62-27.1 of the Code of Ordinances of the City of Atlanta, Georgia, so as to decrease the number of Municipal Court Judges from ten (10) to eight (8); to waive conflicting ordinances and code sections; and for other purposes. **(Referred back by Full Council 7/5/11) (Held 7/11/11 for further review)**
- 11-O-1479 (15) An Ordinance by Councilmember Michael J. Bond to amend Chapter 10, (Alcoholic Beverages) of the City of Atlanta Code of Ordinances to provide for the regulation of package and convenience stores; and for other purposes. **(Held 10/11/11 at the author's request)**

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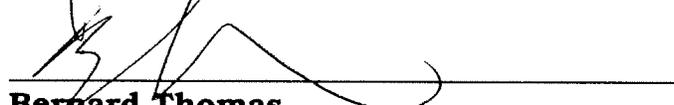
**There being no further business to come before the Committee, the meeting was adjourn at 4:01 p.m.**

**Respectfully Submitted:**



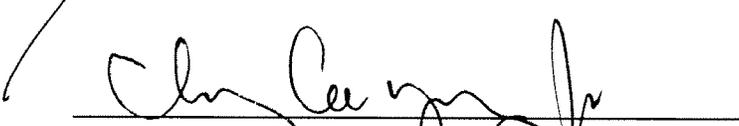
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**Fredrieca Cooper  
Legislative Assistant**



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**Bernard Thomas  
Research and Policy Analyst**



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