

**PUBLIC SAFETY  
AND  
LEGAL ADMINISTRATION COMMITTEE**

**MINUTES**

**JANUARY 10, 2012**

The scheduled meeting of the Public Safety and Legal Administration Committee was held on **Tuesday, January 10, 2012 at 3:15 p.m., in Committee Room #2.**

The following members were present:

**The Honorable Michael J. Bond, Chair  
The Honorable H. Lamar Willis, Vice-Chair  
The Honorable C. T. Martin  
The Honorable Clela Winslow  
The Honorable Alex Wan  
The Honorable Joyce Sheperd  
The Honorable Ivory L. Young, Jr.**

Others present at the meeting were: Deputy City Attorneys, Eric Richardson and Amber Robinson, Claude Cole, Law Department; Deputy Chiefs Ernest Finley, Calvin Moss, Renee Shields and Shawn Jones, Police Department; Raines Carter; City Solicitor Denise Revels, Atlanta Public Schools; media, public and council staff.

Chairman Bond called the meeting to order at 3:15 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**
- C. ELECTION OF VICE-CHAIR - Councilmember Ivory L. Young, Jr. made a motion to elect Councilmember H. Lamar Willis as Vice-Chair. The vote was unanimous**

**CONSENT**

**D. RESOLUTIONS**

**Claims with favorable recommendations:**

- 12-R-0018 ( 1) Claim of **James Adams (DPW/03)**, for damages alleged to have been sustained as a result of a vehicular accident on August 18, 2011 at 73 Anderson Avenue. **\$250.00**
- 12-R-0019 ( 2) Claim of **GEICO, as subrogee of Roy Wilton, Jr. (DPW/09)**, for damages alleged to have been sustained as a result of driving over a raised manhole on June 26, 2011 at 1360 Collier Road. **\$634.61**
- 12-R-0020 ( 3) Claim of **Verna Manns (DWM/09)**, for damages alleged to have been sustained as a result of driving over a failed construction cut on January 8, 2011 at 1423 Northwest Drive. **\$678.02**
- 12-R-0021 ( 4) Claim of **Harriet Mills (DPW/01)**, for vehicle damages alleged to have been sustained as a result of driving over a pothole on July 11, 2011 at 150 Milton Avenue. **\$684.35**
- 12-R-0022 ( 5) Claim of **Micha Phillips (DPCD/10)**, for damages alleged to have been sustained from an automobile accident on September 28, 2011 at 3083 Martin Luther King, Jr. Drive. **\$1,094.11**
- 12-R-0023 ( 6) Claim of **Darsy A. Aris-Cardona (DPW/02)**, for vehicular damages alleged to have been sustained when a parked automobile was struck by falling debris from a bridge on May 9, 2011 at 75 Spring Street. **\$1,431.61**
- 12-R-0024 ( 7) Claim of **Kevin Ready and Camille Ready (DWM/05)**, for property damages alleged to have been sustained from a water main break on December 23, 2011 at 72 Lakeview Drive. **\$1,500.00**



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**RESOLUTIONS (CONT'D)**

**Claims with favorable recommendations:**

- 12-R-0033 (16) Claim of **Vernon K. Little (DPRCA/08)**, for property damages alleged to have been sustained when a tree fell on August 4, 2011 at 2095 Springlake Drive, NW. **\$2,987.00**
- 12-R-0034 (17) Claim of **Maurice Ruff, through his attorney, Torris Butterfield (DWM/06)**, for damages alleged to have been sustained as a result of walking on an uncovered water meter box on September 13, 2010 at 66 12<sup>th</sup> Street. **\$3,500.00**
- 12-R-0035 (18) Claim of **Allstate Insurance Company, as subrogee of Debra Mckeever (APD/02)**, for property damages alleged to have been sustained from an automobile accident on August 6, 2011 at 100 Centennial Olympic Park Drive. **\$3,538.76**
- 12-R-0036 (19) Claim of **Corey Brown, through his attorney, Nkosi Bey (DWM/06)**, for damages alleged to have been sustained as a result of walking on an uncovered water meter box on September 29, 2010 at 1023 Peachtree Street. **\$4,500.00**
- 12-R-0037 (20) Claim of **Kimberly Bruce, through her attorney, Cornelius B. Scott, Scott, Scott & Scott, P. C. (APD/09)**, for bodily injuries alleged to have been sustained from an automobile accident on July 26, 2011 at 662 Commercial Avenue, NW. **\$7,000.00**
- 12-R-0038 (21) Claim of **Mendota Insurance, as subrogee of Vanessa Wallace (DWM/03)**, for damages alleged to have been sustained as a result of a vehicular accident on July 20, 2011 at Northside Drive at 14<sup>th</sup> Street. **\$9,477.80**
- 12-R-0039 (22) Claim of **Lisa M. Thomas, through her attorney, Jack O. Morse (DWM/01)**, for bodily injuries alleged to have been sustained from an automobile accident on December 23, 2011 at 135 Claire Drive. **\$18,000.00**

**RESOLUTIONS (CONT'D)**

**Claims with favorable recommendations:**

12-R-0040 (23) An **Amended Claim of Olajuwan Wilson, through his attorneys, Glaser Currie & Bullman, LLP (APD/03)**, for damages alleged to have been sustained from an arrest incident on September 28, 2010 at 911 Joseph E. Boone. **\$95,000.00**  
**(Councilmember Martin made a motion to approve as amended)**

**FAVORABLE AS AMENDED**

12-R-0041 (24) Claim of **Allstate Insurance Company, as subrogee of Phyllis Hogan, through attorneys, Grotefeld & Hoffman, LLP (DWM/08)**, for property damages alleged to have been sustained from two sanitary sewer backups on September 19-20, 2009 at 4505 River Rill Court. **\$185,000.00**  
**(Councilmember Wan made a motion to approve)**

**FAVORABLE**

**Claims with unfavorable recommendations:**

12-R-0042 (25) Claim of **Johnny J. Willis (NA/NA)**, for damages alleged to have been sustained as the result of pothole on July 23, 2011 at 1900 Stanton Road.

12-R-0043 (26) Claim of **Liberty Mutual Group, through their attorney, The Wilber Lane (DPRCA/06)**, for damages alleged to have been sustained as a result of a tree falling on December 1, 2010 at 1287 Lanier Boulevard.

12-R-0044 (27) Claim of **Nationwide Insuranc, as subrogee of Felicia Ethridge (APD/NA)**, for damages alleged to have been sustained as a result of damage to her vehicle from the discharge of a firearm on May 13, 2011 at 4300 Jimmy Carter Boulevard, Norcross.

12-R-0045 (28) Claim of **Rkeytek Music, LLC (DPW/08)**, for damages alleged to have been sustained as a result of driving over a pothole on January 4, 2011 at 127 West Paces Ferry Road.  
**(Councilmember Martin made a motion to approve Items D1-D-22, D-25-28)**

**FAVORABLE**

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**E. ORDINANCES FOR FIRST READING**

12-O-0046 ( 1) An Ordinance by Public Safety and Legal Administration Committee rescinding 11-O-1261 and amending the 2012 (Intergovernmental Grant Fund) Budget, Department of Police, by adding to anticipations and appropriations, in the amount of \$2,938,559.00, for grant funds, from the White House Office of National Drug Control Policy (“ONDCP”), for the purpose of continuing the Atlanta High Intensity Drug Trafficking Area Task Force (“Atlanta HIDTA”); to disrupt and dismantle drug trafficking organizations; and for other purposes.

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

12-O-0047 ( 2) An Ordinance by Public Safety and Legal Administration Committee to accept a sub-grant from the United States Department of Homeland Security (DHS), to aid the City of Atlanta’s ongoing efforts to protect itself from terrorist attacks, through the purchase of portable lighting, barriers, and other specialized supplies and equipment for the Department of Police (“Department”), and to amend the 2012 (Intergovernmental Grant Fund) Department of Police Budget, by adding to anticipations and appropriations in the amount of \$190,000.00; and for other purposes.

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

12-O-0048 ( 3) An Ordinance by Public Safety and Legal Administration Committee authorizing the acquisition of real property located at 843 and 855 Hollywood Road in Land Lot 176 of the 14<sup>th</sup> District, Fulton County, Georgia for the purposes of constructing a new Fire Station 22; costs associated with acquisition to be paid from Account Numbers listed; and for other purposes.

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

**REGULAR**

**F. COMMUNICATION**

12-C-0005 ( 1) A Communication from Diane O' Steen, Executive Director, Atlanta Bar Association, to Municipal Clerk Rhonda Dauphin Johnson, submitting **Mrs. Lisa Steinmetz Morchower** as their representative to serve as a member of the Atlanta Alcohol Technical Advisory Group II (ATAG).

**(Councilmember Winslow made a motion to approve.)**

**FAVORABLE - REFERRED TO COMMITTEE ON COUNCIL**

**G. ORDINANCE FOR SECOND READING**

12-O-0077 ( 1) An Ordinance by Councilmembers Michael J. Bond, C. T. Martin, Natalyn M. Archibong, Kwanza Hall, Clea Winslow, Aaron Watson, Ivory L. Young, Jr., Joyce M. Sheperd and Carla Smith to amend Section 106-229 of the Code of Ordinances of the City of Atlanta (Entitled "Children in need of Supervision") so as to modify the penalty provision thereof to cause said provision to be consistent with the general penalty provision contained in the Atlanta City Code; to waive conflicting ordinances and Code Sections; and for other purposes.

**(Councilmember Willis made motion to hold)**

**HELD**

**H. RESOLUTIONS**

12-R-0049 ( 1) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to enter into a new Lease Agreement with the Little Five Points Business Association on behalf of the Atlanta Police Department, for the rental of 400 square feet of office space located at 1166B Euclid Avenue, Atlanta, Georgia, for the Department of Police Zone Six Little Five Points Mini-Precinct from the period of 1 March 2012 through 28 February 2015, at a rental rate of \$1 per year, to be charged to and paid from Account Numbers listed; and for the purposes.

**(Councilmember Wan made a motion to approve on condition.)**

**FAVORABLE ON CONDITION**

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**RESOLUTIONS (CONT'D)**

- 12-R-0050 ( 2) A Resolution by Public Safety and Legal Administration Committee authorizing the settlement of all claims against the City of Atlanta in the City of Atlanta in the case of Christine Spokes v. City of Atlanta, Civil Action File No. 2010-CV-190145, Fulton County Superior Court, in the total amount of \$20,000.00; authorizing said payment to be paid from Fund, Department, Account and Functional Activity listed; authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.  
**(Councilmember Willis made a motion to approve)**

**FAVORABLE**

- 12-R-0051 ( 3) A Resolution by Public Safety and Legal Administration Committee to rescind Resolution Number 11-R-0048 and authorizing payment in the amount of \$1,610.27 in settlement of the property damage claim of Nita Hedreen, against the City of Atlanta; and for other purposes.  
**(Councilmember Martin made a motion to approve)**

**FAVORABLE**

- 12-R-0052 ( 4) A Resolution by Public Safety and Legal Administration Committee to rescind Resolution Number 11-R-1518 and authorizing payment in the amount of \$1,005.64 in settlement of the property damage claim of Icilma Silcott, against the City of Atlanta; and for other purposes.  
**(Councilmember Winslow made a motion to approve)**

**FAVORABLE**

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**RESOLUTIONS (CONT'D)**

- 12-R-0053 ( 5) A Resolution by Public Safety and Legal Administration Committee authorizing the settlement of all claims against the City of Atlanta in the case of T-Mobile South, LLC v City of Atlanta, et al., Civil Action File No. 2009-CV-176543, pending in Fulton County Superior Court, in the form of a credit to the plaintiff in the amount of \$220,507.88; authorizing said payment to be made in the form of credit to the E911 Account of T-Mobile South, LLC FEIN #20-3945483 with the City of Atlanta; authorizing the Chief Financial Officer to distribute the settlement amount as a credit against monthly payments the plaintiff makes to the City of Atlanta for E911 Fees; and for other purposes.  
**(Councilmember Wan made a motion to approve)**

**FAVORABLE**

**I. 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.)**

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

- 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)**
- 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 Tusso**, 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)**

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

- 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)**
- 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)**

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

- 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)**
- 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)**

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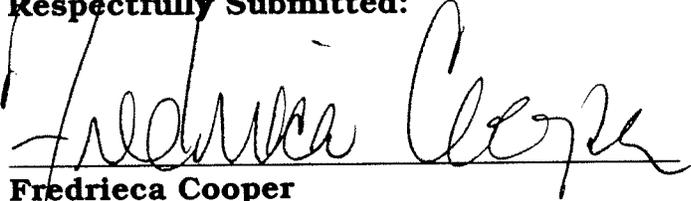
**PAPERS HELD IN COMMITTEE (CONT'D)**

- 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)**

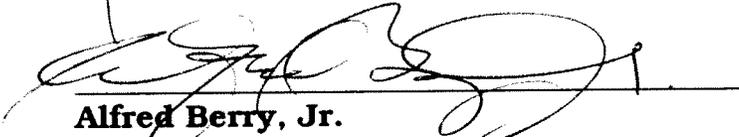
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**There being no further business to come before the Committee, the meeting adjourned at 4:55 p.m.**

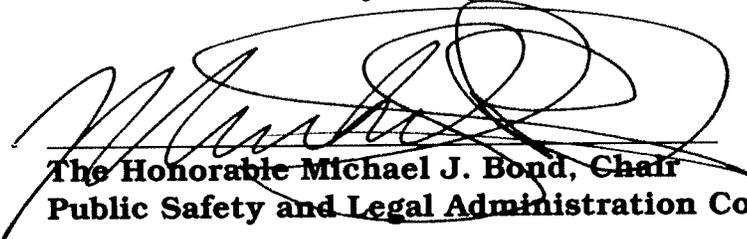
**Respectfully Submitted:**



**Fredrieca Cooper  
Legislative Assistant**



**Alfred Berry, Jr.  
Research and Policy Analyst**



**The Honorable Michael J. Bond, Chair  
Public Safety and Legal Administration Committee**