

**PUBLIC SAFETY
AND
LEGAL ADMINISTRATION COMMITTEE**

MINUTES

FEBRUARY 14, 2012

The scheduled meeting of the **Public Safety and Legal Administration Committee** was held on Tuesday, February 14, 2012 at 3:36 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 Cleta Winslow
The Honorable Alex Wan
The Honorable Joyce Sheperd**

The following member was absent:

The Honorable Ivory L. Young, Jr.

Others present at the meeting were: Amber Robinson and Claude Cole, Law Department; Deputy Chiefs Ernest Finley, Calvin Moss, E. Renee Propes and Shawn Jones, Police Department; media, public and council staff.

Chairman Bond called the meeting to order at 3:36 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:

- 12-R-0161 (1) Claim of **Travis Harris (APD/02)**, for property damages and bodily injuries alleged to have been sustained from an automobile accident on November 24, 2011 at West Peachtree Street and North Avenue. **\$6,406.27**
- 12-R-0162 (2) Claim of **Sherry Harris, through her attorney, Lipman & Drew (DPW/10)**, for bodily injuries alleged to have been sustained from an automobile accident on August 24, 2011 at Martin Luther King, Jr. Drive and I-285 Northbound Exit Ramp. **\$6,000.00**
- 12-R-0163 (3) Claim of **Progressive Insurance Company, as subrogee of Zuri Morrison (DPRCA/03)**, for damages alleged to have been sustained as a result of debris falling from the vehicle on June 16, 2011 at 825 Donald Lee Hollowell Parkway. **\$4,250.66**
- 12-R-0164 (4) Claim of **Latorche Adams, through her attorney, R. Shane Smith (APD/01)**, for bodily injuries alleged to have been sustained as a result of a vehicular accident on July 7, 2011 at Cherokee Avenue at Augusta Avenue. **\$3,500.00**
- 12-R-0165 (5) Claim of **Sherdarian Varner, through his attorney, Joel Roth (DWM/02)**, for damages alleged to have been sustained as a result of walking on an uncovered water meter box on March 8, 2011 at 460 North Avenue. **\$3,300.00**
- 12-R-0166 (6) Claim of **Jenna Saunders (AFR/06)**, for property damages alleged to have been sustained from an automobile accident on April 11, 2011 at 1288 DeKalb Avenue. **\$3,209.86**
- 12-R-0167 (7) Claim of **Beverly Harris (DWM/11)**, for bodily injuries alleged to have been sustained after stepping into an uncovered water meter box on October 24, 2011 at 2792 Grand Avenue. **\$3,200.00**

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RESOLUTIONS (CONT'D)

Claims with favorable recommendations:

- 12-R-0168 (8) Claim of **Juarez Harris (a minor), through his attorney, Lipman & Drew (DPW/10)**, for bodily injuries alleged to have been sustained from an automobile accident August 24, 2011 at at Martin Luther King, Jr. Drive and I-285 Northbound Exit Ramp. **\$2,500.00**
- 12-R-0169 (9) Claim of **Norman S. Fiddmont (DPW/04)**, for property damages alleged to have been sustained from an automobile accident on October 18, 2011 at Rawson Street and Pryor Street. **\$2,240.87**
- 12-R-0170 (10) Claim of **Michael Karam (DWM/02)**, for vehicle damages alleged to have been sustained as a result of driving over an unsecured construction cut on June 15, 2011 at 880 West Peachtree Street. **\$1,348.33**
- 12-R-0171 (11) Claim of **Cheryl Brassell (DWM/03)**, for damages alleged to have been sustained as a result of a gate arm malfunction on June 23, 2011 at 651 14th Street. **\$1,076.60**
- 12-R-0172 (12) Claim of **Alberta Cunningham (DPW/10)**, for property damages alleged to have been sustained after a City truck became disable on July 15, 2010 at 3421 Lynfield Drive. **\$900.00**
- 12-R-0173 (13) Claim of **Abdu Adem (DWM/01)**, for property damages alleged to have been sustained from an automobile accident on July 5, 2011 at 519 Memorial Drive. **\$922.36**
- 12-R-0174 (14) Claim of **Valencia Allen (DPW/11)**, for property damages alleged to have been sustained from a pothole on October 11, 2011 at 2999 Stone Hogan Connector Road. **\$815.98**
- 12-R-0175 (15) Claim of **Larry B. Hazel (APD/04)**, for property damages alleged to have been sustained from an automobile accident on September 18, 2011 at 545 Lee Street. **\$551.94**

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RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 12-R-0176 (16) Claim of **Curtis Thomas, through his attorney, Jonathan Melnick (NA/09)**, for property damages alleged to have been sustained as a result of driving over an unsecured construction cut on June 27, 2011 at Bolton Road at Marietta Boulevard.
- 12-R-0177 (17) Claim of **Curtis Thomas, through his attorney, Jonathan Melnick (NA/09)**, for bodily injuries alleged to have been sustained as a result of driving over an unsecured construction cut on June 27, 2011 at Bolton Road at Marietta Boulevard.
- 12-R-0178 (18) Claim of **State Farm Insurance Companies, as subrogee of Wade F. Anderson (NA/09)**, for vehicular damages alleged to have been sustained from driving over a metal plate on June 27, 2011 at Bolton Road at Marietta Boulevard.
- 12-R-0179 (19) Claim of **Dorribion Fleetwood (a minor), through his attorney, Neil W. Putnam, Esq. (APD/02)**, for bodily injuries alleged to have been sustained as the result of an auto accident on July 6, 2011 at 130 Peachtree Street.
- 12-R-0180 (20) Claim of **Britney Bradley, through her attorney, Jonathan P. Schopp, Foy & Associates, P. C. (APD/03)**, for damages alleged to have been sustained from an automobile accident on December 21, 2009 at 2655 Donald Lee Hollowell Parkway, NW.
- 12-R-0181 (21) Claim of **Christine Brown, through her attorney, Keith Foster, Esq., The Foster Firm, LLC (APD/03)**, for damages alleged to have been sustained as the result of an automobile accident on July 7, 2011 at 1724 Donald Lee Hollowell Parkway.
- 12-R-0182 (22) Claim of **GEICO, as subrogee of Vernard Bass (APD/03)**, for property damages alleged to have been sustained as the result of an automobile accident on July 7, 2011 at 1724 Donald Lee Hollowell Parkway.

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RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations:

- 12-R-0183 (23) Claim of **Vernard Bass, through his attorney, Gilbert M. Taylor, LLC (APD/03)**, for bodily injuries alleged to have been sustained as the result of an automobile accident on July 7, 2011 at 1724 Donald Lee Hollowell Parkway.
- 12-R-0184 (24) Claim of **Felicia Anderson, through her attorney, Albert Wan, Attorney at Law (APD/10)**, for damages alleged to have been sustained from an arrest incident on October 14, 2009 at 1620 Westwood Avenue.
- 12-R-0185 (25) Claim of **Berneva Crowe, through her attorney, Jonathan Schopp (DWM/NA)**, for damages alleged to have been sustained as a result of walking into an uncovered water meter on April 18, 2010 at an undisclosed location.
- 12-R-0186 (26) Claim of **Reginald E. Boone (DPRCA/11)**, for damages alleged to have been sustained as the result of a tree removal due to a tree inspection on July 22, 2011 at 2337 Venetian Drive.
(Councilmember Wan made a motion to approve Items C1-C26)

FAVORABLE

REGULAR

D. ORDINANCE FOR SECOND READING

- 12-O-0103 (1) Ordinance by Public Safety and Legal Administration Committee amending the 2012 (Intergovernmental Grant Fund) Budget, Department of Police by adding to anticipations and appropriations the amount of \$2,330.00 to a new total of \$5,635,764.00, due to modifications in grant funds from the White House Office of National Drug Control Policy ("ONDPCP") for the continuation of the High Intensity Drug Trafficking Area ("HIDTA") Task Force and continued disruption of drug trafficking organizations; and for other purposes.
(Councilmember Wan made a motion to approve.)

FAVORABLE

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E. RESOLUTIONS

12-R-0187 (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 Donald Frank Smith v. Officer Johnny Leblanc, et al., Civil Action File Number 1:07-CV-00320-CC-AJB, United States District Court, Northern District of Georgia, Atlanta Division, in the amount of \$15,000.00; authorizing payment of \$15,000.00 to be charged to and paid from Fund, Center Number, Account and Functional Activity Number listed; authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.

(Councilmember Martin made a motion to approve.)

FAVORABLE

12-R-0201 (2) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor, on behalf of the Atlanta Police Department ("APD"), to execute temporary service contracts with up to twelve (12) Retired Atlanta Police Officers, to facilitate the transition of the Office of Code Enforcement into the Atlanta Police Department, for a period of up to eight (8) months, beginning no earlier than 1 March 2012 and ending no later than 31 October 2012, in an amount not to exceed a total of \$189,000.00; all costs to be charged to and paid from Account Numbers listed; and for other purposes.

(Councilmember Wan made a motion to approve.)

FAVORABLE

12-R-0202 (3) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor, on behalf of the Department of Police ("Department"), to execute temporary service contracts with up to (150) Retired City of Atlanta Police Officers, for enhanced security at Hartsfield-Jackson Atlanta International Airport ("Airport"), for a period of up to fifteen (15) months beginning no earlier than 1 March 2012 and ending no later than 31 May 2013, in an amount not to exceed a total of \$2,486,080.00; all costs to be charged to and paid from Account Numbers listed; and for other purposes.

(Councilmember Wan made a motion to approve.)

FAVORABLE

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F. 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)**
- 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)**

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PAPERS HELD IN COMMITTEE (CONT'D)

- 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)**
- 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)**

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PAPERS HELD IN COMMITTEE (CONT'D)

- 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)**
- 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)**

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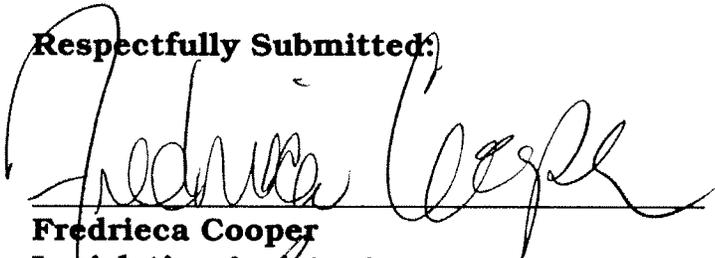
PAPERS HELD IN COMMITTEE (CONT'D)

- 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)**

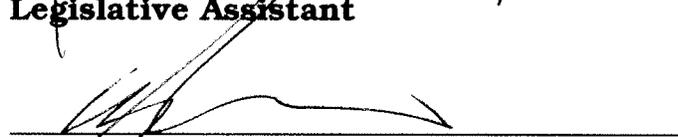
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There being no further business to come before the Committee, the meeting adjourned at 3:36 p.m.

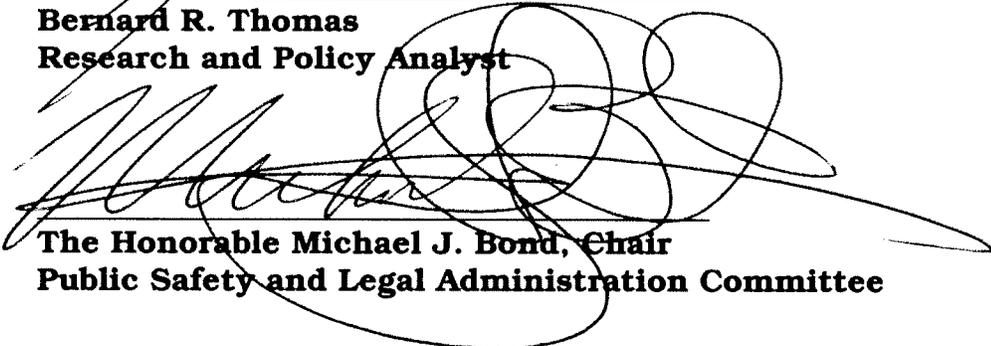
Respectfully Submitted:



**Fredrieca Cooper
Legislative Assistant**



**Bernard R. Thomas
Research and Policy Analyst**



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