

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE
MINUTES
JANUARY 15, 2013**

The scheduled meeting of the Public Safety and Legal Administration Committee was held on Tuesday, January 15, 2013 at 3:30 p.m. in Committee Room #2. The following members were present:

The Following Committee Members were Present

**The Honorable Michael J. Bond, Chair
The Honorable C. T. Martin
The Honorable Keisha Lance Bottoms
The Honorable Cleta Winslow
The Honorable H. Lamar Willis**

The Following Committee Members were not Present

**The Honorable Ivory Lee Young, Jr.
The Honorable Kwanza Hall**

Others present at the meeting were: Richard Mendoza, Commissioner of Public Works; Santana Kempson-Wright, Public Works; David Bennett, Mayor's Office; Eric Richardson, Deputy City Attorney; Amber Robinson, Law Department; Karen Thomas, Law Department; Chief George Turner, APD; Major C. J. Davis, APD; Deputy Chief Renee Propes, APD; Lt. Jeff Baxter, APD; Mike Geisler, Department of Watershed Management; media, public and council staff.

A. ADOPTION OF AGENDA

The Agenda was Adopted without objection.

B. APPROVAL OF MINUTES

The Minutes for the Public Safety and Legal Administration Committee Meeting held on December 11, 2012 were approved without objection.

C. ELECTION OF THE 2013 VICE-CHAIR

Chairperson Bond opened the floor to the Committee for the nomination of the 2013 Public Safety and Legal Administration Committee Vice-Chair. Councilmember Lance Bottoms nominated Councilmember H. Lamar Willis, who accepted. Without objection, Councilmember H. Lamar Willis was named Vice Chair of the Public Safety and Legal Administration Committee for 2013.

D. PSLA COMMITTEE 2013 GOALS AND OBJECTIVES

Chairperson Bond intended to take up this section of the agenda at the end of the presentations. Since that did not happen, this section will appear on the next agenda for the Public Safety and Legal Administration Committee on January 29, 2013.

E. DISCUSSIONS/PRESENTATIONS

1. Public Property Vending Update,

**David Bennett, Senior Policy Advisor, Office of the Mayor
Eric Richardson, Deputy City Attorney**

David Bennett briefly updated the Committee on the status of the City of Atlanta Public Property Vending Ordinance. He informed the Committee that as of December 2012, following a judgement rendered by a Fulton County Superior Court Judge, that Ordinance is no longer in effect. He also stated that at present, there are no permitted vendors, and that the police has been informed not to enforce vending issues until the City has decided whether or not to reenact the ordinance and bring back the vending program. Deputy City Attorneys Eric Richardson and Karen Thomas informed the Committee that they could discuss the options in more detail in an executive session. Committee members and the public made comments on this issue following Mr. Bennett's update. The Committee entered into an Executive Session at 5:48 pm and came out at 6:35 pm. This meeting can be viewed by visiting www.atlantaga.gov

**2. Update on response to crime issues involving the BeltLine,
Chief Turner, Atlanta Police Department**

Deputy Chief Renee Propes came before the Committee to speak to the issues concerning the recent crimes surrounding the BeltLine. She announced that two arrests have been made in connection with the robberies that took place along the BeltLine and that no other incidents have occurred. She spoke to 20 additional officers to be hired to establish the Path Force. Lt. Jeff Baxter was introduced as the officer who will be heading up that Path Force. They also stated that lighting and signage issues are being addressed. Chief Turner appeared and spoke to the Committee about several other park related enforcements being put in place. Councilmember Bond asked Chief Turner to give an update on the two police officer injured recently, Officer Beckle and Officer Robinson. He said that Officer Beckle, who was struck by the alleged DUI driver, has had several surgeries and has been moved to recovery. Officer Robinson, who was shot in the facial area, has had surgery for reconstruction but is in stable condition and still in ICU. Councilmembers Willis and Bond asked Chief Turner to share with the Committee any ideas or ways the City can financially help officer that have been injured in the line of duty. This meeting may be viewed by visiting www.atlantaga.gov

E. DISCUSSIONS/PRESENTATIONS (CONT'D)

3. Code Enforcement Update,

Major C. J. Davis, Atlanta Police Department

Major Davis appeared before the Committee and announced that it has been exactly 1 year since Code Enforcement moved to the Atlanta Police Department. She thanked the Atlanta Police Department and the City Council for helping to make the transition as easy as possible. She then updated the Committee on the progress that had been made. She informed the committee that since this budget year, July 2012, 8 contractors had been put in place and demolition had begun. 69 single-family residences and 2 multi-family properties have been demolished. Funding: She stated that \$1.2 million was in the bond account, the TAD allocation funding and the CDBG funding has been exhausted and General funding was about \$5,000.00. She stated that 21 of the 24 approved extra staff positions had been filled, that 1700 vacant properties have been registered and that they are working on improving their complaint process. She also informed the Committee that the Code Enforcement Neighborhood Sweeps will continue. This meeting can be viewed by visiting www.atlantaga.gov

CONSENT AGENDA

F. RESOLUTIONS

Claims with favorable recommendations

13-R-0037 (1) Claim of **Geico, as Subrogee of Daniel Pascale and Gina Pascale (DPW/07)**, for property damage sustained as a result of a vehicular accident on December 19, 2011 at Alpine Road at East Wesley Road.

\$2,072.48

13-R-0038 (2) Claim of **State Farm, as Subrogee of Phillip Habersham (AFR/04)**, for property damage alleged to have been sustained as a result of an automobile accident on April 21, 2012 at 3901 Campbellton Road.

\$1,924.81

13-R-0039 (3) Claim of **American Family Insurance, as Subrogee of Brian and Tracey Quinn (APD/02)**, for property damage alleged to have been sustained as a result of an automobile accident on August 22, 2012 at Centennial Olympic Park Drive.

\$1,016.32

CONSENT AGENDA

F. RESOLUTIONS (CONT'D)

Claims with favorable recommendations (cont'd)

- 13-R-0040 (4) Claim of **State Farm, as Subrogee of Marlon C. Brown (APD/02)**, for property damage alleged to have been sustained as a result of an automobile accident on July 01, 2012 at West Peachtree Street.
\$3,803.90
- 13-R-0041 (5) Claim of **David E. Sikes, through his Attorney, Tully Hazell, Esq., Burr & Forman, LLP (DPW/07)**, for property damage alleged to have been sustained as a result of an automobile accident on June 16, 2012 at 3849 Club Drive.
\$4,898.56
- 13-R-0042 (6) Claim of **Tomeaka Lester (DPW/09)**, for property damage alleged to have been sustained as a result of an automobile accident on November 19, 2012 at West Marietta Boulevard.
\$4,000.00
- 13-R-0043 (7) Claim of **Barbara LeNoble and Douglas Sheaffer (DWM/08)**, for property damage allegedly sustained as a result of a sewer back-up on May 21, 2012 at 1491 Wesley Parkway.
\$6,652.91
- 13-R-0044 (8) Claim of **Lok B. Alley (DPW/NA)**, for property damage alleged to have been sustained as a result of an automobile accident on August 06, 2012 at Riverdale Road and Interstate 285 West.
\$1,618.74
- 13-R-0045 (9) Claim of **Jamese Parker, through her Attorney, Princewill Aneke (APD/05)**, for bodily injury sustained as a result of a vehicular accident on September 21, 2011 at Memorial Drive at Wilkinson Drive.
\$5,000.00
- 13-R-0046 (10) Claim of **Marco Robinson (APD/04)**, for property damage alleged to have been sustained as a result of an automobile accident on May 22, 2012 at Cascade and Herring Roads.
\$4,557.32
- 13-R-0047 (11) Claim of **Lashawn L. Thompson (APD/NA)**, for property damage alleged to have been sustained as a result of an automobile accident on March 26, 2012 at 3604 Marketplace Boulevard.
\$1,246.95

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F. RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations

- 13-R-0048 (12) Claim of **Thursday Hutchinson (JUD/02)**, for bodily injury allegedly sustained as a result of a spider bite on August 6, 2012 at 150 Garnett Street, Municipal Courts.
- 13-R-0049 (13) Claim of **Stephen G. Freeman (APD/04)**, for property damage alleged to have been sustained as the result of his stolen vehicle being recovered on June 17, 2012 at 1061 Lee Street.
- 13-R-0050 (14) Claim of **Ida Craft (DPRCA/09)**, for property damage alleged to have been sustained as the result of a tree limb on October 2, 2012 at 1599 Ferno Drive.
- 13-R-0051 (15) Claim of **State Farm, as Subrogee of Yvette Pace (DPW/02)**, for property damage alleged to have been sustained from a motor vehicle accident on July 09, 2012 at Peachtree and 10th Streets.
- 13-R-0052 (16) Claim of **Yvette Pace (DPW/02)**, for property damage alleged to have been sustained from a motor vehicle accident on July 09, 2012 at Peachtree and 10th Streets.
- 13-R-0053 (17) Claim of **Willie Johnson (DWM/03)**, for property damage allegedly sustained as a result of an interruption of water service on August 13, 2012 at 602 Westlake Avenue.
- 13-R-0054 (18) Claim of **Jose Velez (DHR/02)**, for damages alleged to have been sustained as a result of termination of employment on October 6, 2011 at 68 Mitchell Street
- 13-R-0055 (19) Claim of **Rashida Moore, through her Attorney, Dustin S. Taps, Esq., Montlick and Associates, P.C. (APD/09)**, for property damage alleged to have been sustained when her vehicle was struck by another vehicle on September 30, 2012 at Interstate 285 and Donald Lee Hollowell Parkway.
- 13-R-0056 (20) Claim of **Juan Chacon (DPW/10)**, for property damage alleged to have been sustained when his vehicle was struck by a city vehicle on June 15, 2012 at Interstate 75/85.

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F. RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations (cont'd)

- 13-R-0057 (21) Claim of **Thomas George Associates, Ltd for Liberty Mutual Insurance, as Subrogee of Anna Nikolic (APD/02)**, for property damage alleged to have been sustained when her vehicle was struck by a city vehicle on August 11, 2011 at 161 Peachtree Center Avenue.
- 13-R-0058 (22) Claim of **William Erik Poole (DPW/02)**, for property damage alleged to have been sustained as the result of an automobile accident on November 21, 2011 at 835 Belgrade Avenue.
- 13-R-0059 (23) Claim of **Joseph J. Romant (DPW/04)**, for property damage alleged to have been sustained as the result of a City vehicle striking a mail box at 311 Atwood Street.
- 13-R-0060 (24) Claim of **Jacquelyn Harris-Hines, through her Attorney, Jeffrey S. Kowalski, Esq., Montlick & Associates, P.C. (DPW/04)**, for bodily injury alleged to have been sustained when her vehicle was struck by a city vehicle on July 30, 2012 on Pryor Road at Thornton Street.
- 13-R-0061 (25) Claim of **Christopher Jackson (NA/02)**, for property damage allegedly sustained as a result of driving over a pothole on January 22, 2012 at 18th Street and State Street.
- 13-R-0062 (26) Claim of **Rachel Bhattacharya (DPW/06)**, for property damage alleged to have been sustained as the result of driving over a granite driveway curb on March 10, 2011 at 209 14th Street.
- 13-R-0063 (27) Claim of **DTG Operations, as Subrogee of Melvin Grimes (APD/02)**, or property damage allegedly sustained as a result of a vehicular accident on August 3, 2010 at Memorial Drive and Pryor Street.
- 13-R-0064 (28) Claim of **Ray Kendrick, through his Attorney, Robert Bozeman, Esq., The Davis Bozeman Law Firm, PC (NA/12)**, for bodily injury alleged to have been sustained from an automobile accident on October 16, 2012 at 3465 Hamilton Boulevard.

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F. RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations (cont'd)

- 13-R-0065 (29) Claim of **Ronald Kendrick, through his Attorney, Robert Bozeman, Esq., The Davis Bozeman Law Firm, PC (NA/12)**, for bodily injury alleged to have been sustained from an automobile accident on October 16, 2012 at 3465 Hamilton Boulevard.
- 13-R-0066 (30) Claim of **Ann M. Hart (DPW/03)**, for property damage alleged to have been sustained as the result of a pothole on October 16, 2012 at Euhralee Street.
- 13-R-0067 (31) Claim of **Michelle Mays (DWM/03)**, for damage alleged to have been sustained as the result of a water meter at 1917 Joseph E. Boone Boulevard.
- 13-R-0068 (32) Claim of **The Cincinnati Insurance Companies, as Subrogee of Jesse, Nancy and Tessa Johnson (NA/06)**, for property damage alleged to have been sustained when his vehicle was struck by an alleged city vehicle on August 21, 2012 at Piedmont Avenue and Decatur Street.
- 13-R-0069 (33) Claim of **Moses Y. McClenton, through his Attorney, Patrick R. Matarrese, Esq., Montlick & Associates, P.C. (NA/01)**, for bodily injury alleged to have been sustained from an automobile accident on July 2, 2012 at 3490 Jonesboro Road.
- 13-R-0070 (34) Claim of **Radhames Llaverias (APD/01)**, for property damage alleged to have been sustained when his vehicle was struck by a city vehicle on December 3, 2011 at 901 Custer Avenue.
- 13-R-0071 (35) Claim of **Glynis Terrell (NA/NA)**, for property damage alleged to have been sustained on August 23, 2011 as the result of falling debris at State Road 166 at Lee Street Exit.
- 13-R-0072 (36) Claim of **Valerie Phipps-Jewell (APD/04)**, for personal injuries alleged to have been sustained on September 29, 2010 as the result of a trespass at 1326 Thurgood Street.
- 13-R-0073 (37) Claim of **Tabitha Pitts (DPW/10)**, for bodily injury alleged to have been sustained as the result of falling in an open water meter on February 17, 2012 at 335 Fairburn Road.

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F. RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations (cont'd)

- 13-R-0074 (38) Claim of **Anton Kinks, Sr., through his Attorneys, Bruce A. Hagen, P.C. (NA/04)**, for bodily injury alleged to have been sustained from an automobile accident on April 19, 2012 at Sims Street and Arthur Street.
- 13-R-0075 (39) Claim of **Crystal Jones, through her Attorney, Goodman & Goodman, LLP (DOA/NA)**, for bodily injury alleged to have been sustained from a trip and fall incident on May 25, 2012 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
- 13-R-0076 (40) Claim of **Premier Elevator Company, Inc. (NA/09)**, for property damage alleged to have been sustained when a tire blew out on August 22, 2011 at Perry Boulevard and Johnson Road.
- 13-R-0077 (41) Claim of **Sharon Lane (DWM/03)**, for property damage allegedly sustained as a result of driving over a damaged manhole on April 1, 2011 at 1170 Howell Mill Road.
- 13-R-0078 (42) Claim of **Sallie Harmon and Kevin Harmon, through their Attorney, Amanda D. Phillips Roux, Attorney At Law (DOA/NA)**, for bodily injury alleged to have been sustained from a trip and fall incident on May 24, 2012 at Hartsfield-Jackson Atlanta International Airport.
- 13-R-0079 (43) Claim of **Bradley L. Pease (NA/06)**, for property damage alleged to have been sustained from striking a power pole on August 5, 2012 at 1217 Monroe Drive.
- 13-R-0080 (44) Claim of **Timothy Bramlett, through his Attorney, Reynolds E. Pitts, Jr., Esq., Morgan & Morgan (DOA/NA)**, for bodily injury alleged to have been sustained from a fall on May 10, 2012 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
- 13-R-0081 (45) Claim of **Eng Vilaylak (DOA/NA)**, for bodily injury alleged to have been sustained from a fall on June 11, 2012 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.

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F. RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations (cont'd)

- 13-R-0082 (46) Claim of **Munir Foster, through his Attorney, Kevin Sobel, Esq., Kanner & Pinaluga, P.A. (NA/NA)**, for bodily injury alleged to have been sustained in an automobile accident on October 6, 2012 at Brady Avenue.
- 13-R-0083 (47) Claim of **Joann Williams, through her Attorneys, Bruce A. Hagen, P.C. (NA/04)**, for bodily injury alleged to have been sustained from an automobile accident on April 19, 2012 at Sims Street and Arthur Street.
- 13-R-0084 (48) Claim of **Anton Jinks, Jr., a minor, through his Attorneys, Bruce A. Hagen, P.C. (NA/NA)**, for bodily injury alleged to have been sustained from an automobile accident on April 19, 2012 at Sims Street and Arthur Street.
- 13-R-0085 (49) Claim of **Brandy Harris, through her Attorney, Reeder Law Firm (DWM/12)**, for bodily injury alleged to have been sustained from falling into an uncovered water meter on August 21, 2010 at 1092 Allene Drive.
- 13-R-0086 (50) Claim of **Mark Nanna (DWM/12)**, for property damage alleged to have been sustained as the result of a metal plate on October 13, 2012 at 945 Victory Drive.
- 13-R-0087 (51) Claim of **Huub Giesen (NA/02)**, for property damages alleged to have been sustained when a rock was thrown from a mobile lawn mower during a grass cutting project on May 18, 2012 at 499 Highland Avenue.
- 13-R-0088 (52) Claim of **Trisha Dawn Wilson, through her Attorney, Justin D. Miller, Esq., Morgan & Morgan (DOA/NA)**, for bodily injury alleged to have been sustained from a malfunctioning revolving door on September 14, 2012 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
- 13-R-0089 (53) Claim of **Sabrina Brown (DPRCA/10)**, for bodily injury alleged to have been sustained as the result of a tree limb falling on June 28, 2012 at 2129 Martin L. King, Jr. Drive.
- 13-R-0090 (54) Claim of **Teddy D. Williams (DPRCA/02)**, for property damages alleged to have been sustained when a tree limb fell on a parked vehicle September 19, 2012 at 360 Edgewood Avenue.

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F. RESOLUTIONS (CONT'D)

Claims with unfavorable recommendations (cont'd)

- 13-R-0091 (55) Claim of **Christa Daniels, through her Attorney, Reynolds E. Pitts, Jr., Esq., Morgan & Morgan (DOA/NA)**, for bodily injury alleged to have been sustained from a fall on June 8, 2012 at Hartsfield-Jackson Atlanta International Airport, 8700 Spine Road.
- 13-R-0092 (56) Claim of **Geico Direct, as Subrogee of Nina Joiner (APD/03)**, for property damage alleged to have been sustained as the result of a vehicle accident on July 23, 2011 at Donald Lee Hollowell Parkway.
- 13-R-0093 (57) Claim of **Luis A. Restrepo, through his Attorney, Hung Q. Nguyen & Associates, LLC (NA/NA)**, for bodily injury alleged to have been sustained from an automobile accident involving a MARTA bus on March 12, 2012 at an unspecified location.
- 13-R-0094 (58) Claim of **Gregory F. Rhodes (DWM/07)**, for property damage alleged to have been sustained from a billing dispute on July 11, 2011 at 445 Pharr Road, N.E.
- 13-R-0095 (59) Claim of **Kimitra Oates (NA/NA)**, for property damage alleged to have been sustained from driving over a pothole on September 11, 2012 at Fairground Street, S.E. and Waterman Street, S.E., Marietta, Georgia.
- 13-R-0096 (60) Claim of **Progressive Mountain Insurance, as Subrogee of Natalie Johnson (DPW/10)**, for property damage alleged to have been sustained when her vehicle was struck by a city vehicle on September 6, 2012 at Braemar Avenue.

FAVORABLE ITEMS 1-60 (5 YEAS) (0 NAYS)

G. ORDINANCES FOR FIRST READING

- 13-O-0025 (1) An Ordinance by Public Safety and Legal Administration Committee to amend Chapter 106, Article IV, Division 1, Section 106-127, entitled "Solicitation for an Illicit Sexual Act," to mandate a sentence of a term of probation for a first conviction of a violation of Section 162-127, and to mandate banishment from geographical areas within the City of Atlanta defined as "Areas of Prostitution" during the time of said probation; to require banishment from "Areas of

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G. ORDINANCES FOR FIRST READING (CONT'D)

Prostitution” during the probationary period mandated for a second violation of Section 162-127, should the sentencing court decline to banish the offender from the corporate limits of the City as currently allowed; to remove superfluous sentencing language; and for other purposes.

TO BE REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

- 13-O-0026 (2) An Ordinance by Public Safety and Legal Administration Committee to amend the 2013 Intergovernmental Grant Fund Budget, Department of Police (“Department”), by adding to Anticipations and Appropriations in the amount of \$22,143.22 from a Grant Award from the United States Department of Justice, and \$22,143.22 in matching funds from the City of Atlanta, Georgia, totaling \$44,286.44; to purchase Bullet-Proof Vests for the Atlanta Police Department; and for other purposes.

TO BE REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

- 13-O-0027 (3) An Ordinance by Public Safety and Legal Administration Committee amending the 2013 (Intergovernmental Grant Fund) Budget, Department of Police, by adding to Anticipations and Appropriations, \$59,547.50 with no matching funds, to Grant G12GA0003A, 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

H. COMMUNICATION

- 13-C-0001 (1) A Communication from Ashish Gandhi, President, Student Government Association, Emory University, to Council President Ceasar C. Mitchell and Members of Council, submitting **Ms. Shaunesse Jacobs**, as their representative to serve as a member of the Student Safety Council Advisory Group.

FAVORABLE (5 YEAS) (0 NAYS)

REGULAR AGENDA

I. ORDINANCES FOR SECOND READING

12-O-1763 (1) An Ordinance by Public Safety and Legal Administration Committee amending the 2013 (Intergovernmental Grant Fund) Budget, Department of the Mayor, by adding to Anticipations and Appropriations in the amount of \$85,506.00 for the Weed and Seed Program; and for other purposes.

FAVORABLE (5 YEAS) (0 NAYS)

12-O-1764 (2) An Ordinance by Public Safety and Legal Administration Committee amending the 2013 (Intergovernmental Grant Fund) Budget, Department 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 Families and \$25,448.00 from the City of Atlanta Matching Fund for the Intensive Surveillance Officer Program; and for other purposes.

FAVORABLE (5 YEAS) (0 NAYS)

12-O-1825 (3) An Ordinance by Public Safety and Legal Administration Committee requiring the installation of carbon monoxide detectors and warning equipment in all public buildings within the corporate limits of the City of Atlanta; and for other purposes.

(Held by the Committee for 2 weeks certain for further review and discussion)

HELD (5 YEAS) (0 NAYS)

J. RESOLUTIONS

13-R-0035 (1) A Resolution by Public Safety and Legal Administration Committee authorizing the settlement of all claims against the City of Atlanta and Officer Anwar Bradley in the case of **Christopher M. Putman v. City of Atlanta, et al.**, Civil Action File Number 1:10-cv-03243-RWS, United States District Court, Northern District of Georgia, Atlanta Division, in the amount of \$50,000.00 (the "Settlement Amount"); authorizing payment of the Settlement Amount to be charged to and paid from the FDOA Numbers listed; authorizing the Chief Financial Officer to distribute the Settlement Amount; and for other purposes.

FAVORABLE (5 YEAS) (0 NAYS)

REGULAR AGENDA

J. RESOLUTIONS (CONT'D)

- 13-R-0036 (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 **Frances K. Crawford v. City of Atlanta**, Civil Action File No. 2012CV210317, pending in Fulton County Superior Court, in the amount of \$60,000.00 (the "Settlement Amount"); authorizing said payment to be charged to and paid from the FDOA Numbers listed; authorizing the Chief Financial Officer to distribute the Settlement Amount; and for other purposes.

FAVORABLE (5 YEAS) (0 NAYS)

- 13-R-0101 (3) A Resolution by Public Safety and Legal Administration Committee authorizing the settlement of all claims against the City of Atlanta in the case of **Denethia McCall v. City of Atlanta, et al.**, Civil Action File No. 2011-CV-201810, Fulton County Superior Court, in the total amount of \$90,000.00; authorizing said payment to be paid from the FDOA Numbers listed; authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.

FAVORABLE (5 YEAS) (0 NAYS)

K. 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.)**

K. 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.)**
- 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.)**

K. 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.)**
- 11-R-0772 (11) 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 (12) 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.)**

K. PAPERS HELD IN COMMITTEE (CONT'D)

- 11-O-0996 (13) 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 (14) 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.)**
- 12-O-0375 (15) An Ordinance by Public Safety and Legal Administration Committee to amend Chapter 70, Article II of the Code of Ordinances of the City of Atlanta, Georgia, entitled "Burglar or Robbery Alarm Systems," for the purpose of regulating Burglary and Robbery Alarm Systems within the City of Atlanta in order to reduce the number of false alarms within the City of Atlanta through more efficient regulation of such alarm systems; to waive conflicting ordinances; and for other purposes. **(Held 5/1/12 for further review.)**
- 12-O-0488 (16) An Ordinance by Councilmember Michael J. Bond **as substituted by Public Safety and Legal Administration Committee** to repurpose General Fund Revenue from City Cell Tower Leases for the Atlanta Police Department Shot Spotter Program; and for other purposes. **(Held 5/1/12 for further review.) (Substituted and held 5/15/12.)**
- 12-R-0670 (17) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor or his designee to enter into and execute an "Agreement" between the City of Atlanta and Sandy Springs, Georgia for the purpose of providing Automatic and Mutual Aid for emergency and non-emergency responses and the lease for usage of the City of Atlanta's Fire Station 39 by the City of Sandy Springs Fire Department; and for other purposes. **(Held 5/15/12 at the Department request.)**

K. PAPERS HELD IN COMMITTEE (CONT'D)

12-O-0693 (18) An Ordinance by Councilmembers Michael J. Bond, Natalyn M. Archibong, H. Lamar Willis, C. T. Martin, Kwanza Hall, Keisha Lance Bottoms, Carla Smith, Howard Shook, Felicia A. Moore, Aaron Watson, Alex Wan, Joyce Sheperd and Yolanda Adrean amending the Code of Ordinances of the City of Atlanta Part II ("General Ordinances"), Chapter 106 ("Offenses and Miscellaneous Provisions"), Article IV (Offenses Against Public Morals"), Division 3 ("Drugs and Other Controlled Substances") by adding a new section prohibiting the use, sale or delivery of certain dangerous substances, sold and marketed as incense, potpourri or novelty aromatics affecting the public health, safety and welfare of the Citizens of Atlanta and providing for a penalty for violation; and for other purposes. **(Held 5/15/12 for further review.)**

12-O-0774 (19) A **Substitute (2)** Ordinance by Public Safety and Legal Administration Committee amending the City of Atlanta Noise Control Ordinance as set forth in Chapter 74, Article IV, Sec. 74-129 et seq. so that those sections shall read as set forth herein and adding certain new sections to the Noise Control Ordinance; and for other purposes. **(Held 6/12/12 at the request of the Law Department; Substituted and held 10/30/12; Worksession 11/13/12; Public Hearing 11/27/12; Public Hearing Held 11/27/12.)**

FAVORABLE ON SUBSTITUTE (5 YEAS) (0 NAYS)

12-O-0781 (20) An Ordinance by Councilmember Michael Julian Bond authorizing the Department of Corrections to discontinue 12-Hour Work Shifts and restore Eight-Hour Work Shifts for Corrections Officers defined as Law Enforcement Employees in the Code of Federal Regulations; and for other purposes. **(Held 5/29/12 for further review.)**

12-R-0888 (21) A Resolution by Public Safety and Legal Administration Committee authorizing the Mayor to enter into a new Lease Agreement with the Vine City Plaza I, LLC, for the rental of 1,707 square feet of office space located at 612 Magnolia Street, Atlanta, Georgia, for the Department of Police Zone One Investigations Mini Precinct, from the period of September 1, 2012, until August 31, 2015, at a rental rate of \$1.00 for the year, to be charged to and paid from Fund, Account and Center Number listed; and for other purposes. **(Referred back from Full Council 7/2/12.) (Held 7/10/12 at the request of Councilmember Young for further review.)**

K. PAPERS HELD IN COMMITTEE (CONT'D)

- 12-O-0900 (22) An Ordinance by Councilmembers Felicia A. Moore and Natalyn M. Archibong to amend Chapter 18, Article III (Animal Control) of the City of Atlanta Code of Ordinances by activating Code Sections 18-70 and 18-131 (Both Being Currently Reserved) so as to make unlawful the use of "Bullhooks" or other similar devices on elephants; to waive conflicting ordinances; and for other purposes. **(Held 6/26/12 at the request of the Author.)**
- 12-O-1001 (23) An Ordinance by Councilmember Kwanza Hall to amend Article V-Vehicle Immobilization Services of the City of Atlanta Code of Ordinances; and for other purposes. **(Held 7/31/12 at the Author's request.)**
- 12-O-1138 (24) An Ordinance by Councilman Kwanza Hall to activate Section 106-13 (Which Code Section is Currently "Reserved") of the Code Of Ordinances of the City Of Atlanta, Georgia to be entitled "Loitering or Prowling" so as to make unlawful the activity described therein and to provide for the penalty to be imposed upon persons convicted for the violation of said ordinance and Code Section; to waive conflicting ordinances and Code Sections; and for other purposes. **(Held 8/28/12 for further discussions.)**
- 12-O-1419 (25) An Ordinance by Councilmember Michael J. Bond to amend Sections 30-1464 (b), 30-1469 (b), 30-1484 and 30-1491 of the Code of Ordinances of the City of Atlanta (Vending on Private Property) so as to provide that persons vending on private property shall not be required to apply for or obtain a Special Use Permit or a Special Administrative Permit as prescribed by Sections 16-25.001 through 16-25.004 of the Zoning Ordinance; to waive conflicting Ordinances and Code Sections; and for other purposes. **(Held 10/30/12.)**
- 12-C-1629 (26) A Communication from Anita Foster, Student Government President, Spelman College, to Council President Ceasar C. Mitchell and Members of Council, submitting **Ms. Brianna A. Kinsey**, as their representative to serve as a member of the Student Safety Council Advisory Group. **(Held 11/27/12 by the Committee to allow the appointee an opportunity to appear before the Committee.)**

FAVORABLE (5 YEAS) (0 NAYS)

K. PAPERS HELD IN COMMITTEE (CONT'D)

- 12-C-1631 (27) A Communication from Marcus Kernizan, President, Student Government Association, Georgia State University, submitting **Mr. Christian S. Hill**, as their representative to serve as a member of the Student Safety Council Advisory Group. **(Held 11/27/12 by the Committee to allow the appointee an opportunity to appear before the Committee.)**
- 12-C-1633 (28) A Communication from W. David Wilkinson, President & CEO, Atlanta Police Foundation, to Council President Ceasar C. Mitchell and Members of Council, submitting **Mr. Miguel Sepulveda**, as their representative to serve as a member of the Student Safety Council Advisory Group. **(Held 11/27/12 by the Committee to allow the appointee an opportunity to appear before the Committee.)**
- 12-C-1636 (29) A Communication from **Mr. Tyler Joshua Green**, President, Student Government Association, Clark Atlanta University, to Council President Ceasar C. Mitchell and Members of Council, appointing **himself** as their representative to serve as a member of the Student Safety Council Advisory Group. **(Held 11/27/12 by the Committee to allow the appointee an opportunity to appear before the Committee.)**
- 12-O-1734 (30) An Ordinance by Councilmember Michael J. Bond to establish Section 10-109.1 of the Code of Ordinances of the City of Atlanta, Chapter 10 (Alcoholic Beverages), Article II (Dealers and Manufacturer), Division 2 (License), Subdivision III (Renewal, Revocation, Transfer), so as to create mandatory progressive penalties for "due cause" findings made by the License Review Board; to waive conflicting ordinances and code sections; and for other purposes. **(Held 11/27/12 for further review.)**
- 12-O-1735 (31) An Ordinance by Councilmember Michael J. Bond to activate Section 10-76 of the Code of Ordinances of the City of Atlanta (which section is currently reserved), Chapter 10 (Alcoholic Beverages), Article II (Dealers and Manufacturer), Division 2 (License), Subdivision 1 (General Provisions), so as to provide for not less than forty-five (45) days notice to all interested parties in all proceedings before the License Review Board; to waive conflicting ordinances and code sections; and for other purposes. **(Held 11/27/12 for further review.)**

K. PAPERS HELD IN COMMITTEE (CONT'D)

12-O-1744 (32) An Ordinance by Councilmember Michael Julian Bond, Aaron Watson and H. Lamar Willis as **Substituted by Public Safety and Legal Administration Committee** to designate a certain area of the Downtown Special Public Interest Zoning District (SPI-1) as a "Temporary Entertainment District" as defined in Atlanta Code of Ordinances, Section 16-28A.010 (12) (L), between the dates of April 1, 2013 through April 15, 2013; and prohibiting free distribution of commercial products during certain areas of the City between April 5, 2013 through April 9, 2013; and applying the City's Cruising Ordinance, Code Section 150-296, to additional areas of the City between April 5, 2013 through April 9, 2013; to waive Code Section 138-25 (6); and for other purposes. **(Held 11/27/12 by the Committee to wait for a companion paper in the zoning committee.)**

FAVORABLE ON SUBSTITUTE (5 YEAS) (0 NAYS)

12-C-1759 (33) A Communication from Art R. Malloy, Dean of Student Success, Savannah College of Art and Design (SCAD), to Council President Ceasar C. Mitchell and Members of Council, submitting **Ms. Linda Chang** as their representative to serve as a member of the Student Safety Council Advisory Group. **(Held 12/11/12 by the Committee to allow the appointee an opportunity to appear before the Committee.)**

12-O-1816 (34) An Ordinance by Councilmember Michael J. Bond to reauthorize the extension of all permits for vending on public property issued in 2003 and not currently subject to renewal to _____, 20____; to waive conflicting ordinances; and for other purposes. **(Held 12/11/12 by the Committee for further discussion and review.)**

12-O-1817 (35) An Ordinance by Councilmember Natalyn M. Archibong to activate §158-12 (Currently Reserved) of the Code of Ordinances of the City of Atlanta, Georgia, so as to exempt properties certified by the National Wildlife Federation as Wildlife Habitats, from all City of Atlanta Vegetative Growth, Weed, Grass and Nuisance Ordinances and Regulations; to waive conflicting ordinances and code sections; and for other purposes. **(Held 12/11/12 at the request of the author for further discussion and review.)**

K. PAPERS HELD IN COMMITTEE (CONT'D)

12-O-1820 (36) An Ordinance by Councilmember Michael J. Bond **as Amended by Public Safety and Legal Administration Committee** to require that all fines imposed and collected by the City of Atlanta Municipal Court resulting from violations of the City of Atlanta Scrap Tire Enforcement Ordinance, Chapter 130 (Solid Waste Management), Article II (Scrap Tire Enforcement), Sections 130-28 through 130-36, shall be deposited in the City's Solid Waste Services Revenue Fund, with said fine amounts to be used by the City exclusively for all costs associated with the clean-up of scrap tire dumping sites throughout the City; and for other purposes. **(Held 12/11/12 at the request of the CFO for further review [1 NAY].)**

FAVORABLE AS AMENDED (5 YEAS) (0 NAYS)

ADJOURNMENT

There being no further business before the Committee, the meeting was Adjourned at 6:36 p.m.

Respectfully Submitted:



Wasonna H.-Griffin, Legislative Assistant



Bernard Thomas, Research & Policy Analyst



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