



**PUBLIC SAFETY & LEGAL
ADMINISTRATION COMMITTEE**

REGULAR COMMITTEE MEETING

~Minutes~

Atlanta City Hall
55 Trinity Ave.
Atlanta, GA 30303
<http://www.atlantaga.gov/>

CITY OF ATLANTA

Chairperson
The Honorable Clarence "C. T." Martin

Santana Kempson Wright
(404) 330-6579
skempson@atlantaga.gov

Tuesday, September 9, 2014

3:00 PM

Committee Room 2

A. CALL TO ORDER

The regularly scheduled meeting of the **Public Safety & Legal Administration Committee** was held on **Tuesday, September 9, 2014**, at **3:40 PM** in **Committee Room 2**. The following members were present:

B. INTRODUCTION OF MEMBERS

Attendee Name	Title	Status	Arrived
Clarence "C. T." Martin	Chair	Present	3:28 PM
Keisha Lance Bottoms	Vice Chair	Absent	3:40 PM
Yolanda Adrean	Councilmember, District 8	Present	3:29 PM
Michael Julian Bond	Councilmember, Post 1 At-Large	Absent	3:49 PM
Kwanza Hall	Councilmember, District 2	Present	3:28 PM
Mary Norwood	Councilmember, Post 2 At-Large	Present	3:29 PM
Cleta Winslow	Councilmember, District 4	Absent	

Others in Attendance:

Amber Robinson, Laura Burton and Claude Cole, **Law Department**; Deputy Chief Erika Shields, **Atlanta Police Department**; Chief Kelvin Cochran, **Atlanta Fire Rescue**; Christopher Patterson, **Municipal Courts**; Chief Patrick Labat, **Corrections**; Council Staff, the media and members of the public.

C. ADOPTION OF AGENDA – ADOPTED

D. APPROVAL OF MINUTES – APPROVED

E. PRESENTATIONS

1. Code Enforcement Update, Major James Shaw – **No Report**
2. Public Safety Quarterly Reviews
 - a. Municipal Court - Christopher Patterson, Court Administrator
 - b. Police - Chief George Turner - **Reschedule for 9/23/14**
 - c. Corrections - Chief Patrick Labat
 - d. Fire - Chief Kelvin Cochran

CONSENT

F. RESOLUTIONS - CLAIMS WITH FAVORABLE/UNFAVORABLE RECOMMENDATIONS

Claims Summary

Total amount of favorable claims: \$52,442.31

Claims with favorable recommendations:

- 14-R-4124 (1) FOR BODILY INJURY ALLEGED TO HAVE BEEN SUSTAINED FROM A CATCH BASIN INCIDENT ON OCTOBER 5, 2012 AT 1149 EUCLID AVENUE, NE. (DWM/02 - \$17,500.00) #5217
CLAIM OF: Miriam Renter through her Attorneys
Grant G. Morain Morain & Buckelew, LLC
Northside Summit Building
1465 Northside Drive, NW, Suite 211
Atlanta, GA 30318
- 14-R-4125 (2) FOR PROPERTY DAMAGE ALLEGED TO HAVE BEEN SUSTAINED AS A RESULT OF A SEWER BACKUP ON JANUARY 29, 2014 AT 880 BOLTON ROAD. (DWM/10 - \$12,301.35) #5202
CLAIM OF: Annett Battle
880 Bolton Road, NW
Atlanta, Georgia 30331
- 14-R-4126 (3) FOR PROPERTY DAMAGE ALLEGED TO HAVE BEEN SUSTAINED AS A RESULT OF A MOTOR VEHICLE ACCIDENT ON APRIL 7, 2014 AT 321 FERGUSON STREET. (DPW/02 - \$9,644.06) #5167
CLAIM OF: Curt Flaherty
321 Ferguson Street
Atlanta, Georgia 30307
- 14-R-4127 (4) FOR PROPERTY DAMAGE ALLEGED TO HAVE BEEN SUSTAINED AS A RESULT OF A MOTOR VEHICLE ACCIDENT ON MARCH 28, 2014 AT 480 CALHOUN STREET. (DWM/03 - \$3,895.98) #5170
CLAIM OF: Kevin White
216 Monroe Highway
Winder, Georgia 30680
- 14-R-4128 (5) FOR PROPERTY DAMAGE ALLEGED TO HAVE BEEN SUSTAINED AS A RESULT OF A MOTOR VEHICLE ACCIDENT ON OCTOBER 23, 2013 AT SHELTON AVENUE AND METROPOLITAN PARKWAY. (DPW/12 - \$2,895.50) #5147
CLAIM OF: GEICO A/S/O Susan Kidd
One Geico Center
Macon, Georgia 31296

- 14-R-4129 (6) FOR PROPERTY DAMAGE ALLEGED TO HAVE BEEN SUSTAINED AS A RESULT OF A MOTOR VEHICLE ACCIDENT ON JULY 3, 2014 AT 964 HERNDON STREET. **(DPW/03 - \$2,155.93)** #5162
CLAIM OF: Matthew J. Littlefield
964 Herndon Street
Atlanta, Georgia 30318
- 14-R-4130 (7) FOR PROPERTY DAMAGE ALLEGED TO HAVE BEEN SUSTAINED AS A RESULT OF A MOTOR VEHICLE ACCIDENT ON MAY 1, 2014 AT 964 RALPH D. ABERNATHY BOULEVARD. **(AFR/04 - \$2,015.56)** #5146
CLAIM OF: Deborah Brown
2033 Venetian Drive
Atlanta, Georgia 30311
- 14-R-4131 (8) FOR PROPERTY DAMAGE ALLEGED TO HAVE BEEN SUSTAINED AS A RESULT OF A MOTOR VEHICLE ACCIDENT ON APRIL 11, 2014 AT 2500 PINE TREE ROAD. **(APD/07 - \$1,079.52)** #5148
CLAIM OF: Valsamma Joseph
906 Redstone Road
Dacula, Georgia 30019
- 14-R-4132 (9) FOR PROPERTY DAMAGE ALLEGED TO HAVE BEEN SUSTAINED AS A RESULT OF A MOTOR VEHICLE ACCIDENT ON JUNE 7, 2013 ON LAKEWOOD AVENUE AND MACON DRIVE. **(APD/12 - \$954.41)** #5171
CLAIM OF: Recovery Partners, LLC for 21ST Century Insurance A/S/O
Michael Bradford
4141 N. Marshall Way, Suite 12
Scottsdale, Arizona 85251

Claims with unfavorable recommendations:

- 14-R-4133 (10) FOR PROPERTY DAMAGE ALLEGED TO HAVE BEEN SUSTAINED AS A RESULT OF A MOTOR VEHICLE ACCIDENT ON DECEMBER 10, 2013 AT 876 RALPH DAVID ABERNATHY BOULEVARD. **(AFR/04)** #5174
CLAIM OF: Progressive Premier Insurance A/S/O Tiffany Morgan
P.O. Box 512929
Los Angeles, California 90051
- 14-R-4134 (11) FOR BODILY INJURY ALLEGED TO HAVE BEEN SUSTAINED AS A RESULT OF A MOTOR VEHICLE ACCIDENT ON DECEMBER 10, 2013 AT 876 RALPH DAVID ABERNATHY BOULEVARD. **(AFR/04)** #5175
CLAIM OF: Tiffany Morgan
963 Oak Creek Circle, Apt. A
Douglasville, Georgia 30134
- 14-R-4135 (12) FOR PROPERTY DAMAGE AND BODILY INJURY ALLEGED TO HAVE BEEN SUSTAINED AS A RESULT OF A MOTOR VEHICLE ACCIDENT ON MARCH 02, 2014 AT MORELAND AND ORMEWOOD AVENUES. **(APD/01)** #5177
CLAIM OF: Erick Pierre
745 Hansell Street, Apt. 120
Atlanta, Georgia 30312

- 14-R-4136 (13) FOR BODILY INJURY ALLEGED TO HAVE BEEN SUSTAINED AS A RESULT OF A MOTOR VEHICLE ACCIDENT ON MARCH 2, 2014 AT MORELAND AND ORMEWOOD AVENUES. (APD/01) #5178
CLAIM OF: Ernest Lejeune through his Attorney
The Brown Firm
1 Diamond Causeway, Suite 21 #289
Savannah, Georgia 31406
- 14-R-4137 (14) FOR BODILY INJURY ALLEGED TO HAVE BEEN SUSTAINED AS A RESULT OF BEING ARRESTED BY ATLANTA POLICE ON JUNE 26, 2013 AT PEACHTREE AND 14TH STREETS. (APD/02) #5208
CLAIM OF: Bob Jamerson through his Attorney
Joshua Brownlee, Esq.
P.O. Box 33561
Decatur, Georgia 30303
- 14-R-4138 (15) FOR BODILY INJURY ALLEGED TO HAVE BEEN SUSTAINED FROM A POLICE INCIDENT ON FEBRUARY 15, 2013 AT 241 RALPH MCGILL BOULEVARD. (APD/02) #5219
CLAIM OF: Debra Williams on behalf of Giovanna Bullard
through her Attorney
Lawrence Davidson
P.O. Box 1107
Hull, GA 30646
- 14-R-4139 (16) FOR PROPERTY DAMAGE ALLEGED TO HAVE BEEN SUSTAINED AS A RESULT OF POLICE ENTERING HIS HOME TO RESPOND TO AN EMERGENCY ON APRIL 5, 2013 AT 1432 ROME DRIVE. (APD/03) #5211
CLAIM OF: Richard Palsean
1432 Rome Drive, NW
Atlanta, Georgia 30314
- 14-R-4140 (17) FOR PROPERTY DAMAGE ALLEGED TO HAVE BEEN SUSTAINED AS A RESULT OF A MOTOR VEHICLE ACCIDENT ON NOVEMBER 7, 2012 ON GLENWOOD AVENUE AT INTERSTATE 20. (APD/05) #5204
CLAIM OF: Mercury Insurance A/S/O Richard Deane
1901 Ulmerton Road
Clearwater, Florida 33762
- 14-R-4141 (18) FOR BODILY INJURY ALLEGED TO HAVE BEEN SUSTAINED FROM AN ARREST INCIDENT ON JANUARY 19, 2011 AT AN UNSPECIFIED LOCATION. (APD/NA) #5215
CLAIM OF: Marquis Storey through his Attorney
Tiffany N. Brown
P.O. Box 465836
Lawrenceville, GA 30042

- 14-R-4142 (19) FOR BODILY INJURY ALLEGED TO HAVE BEEN SUSTAINED AS A RESULT OF A TRIP-AND-FALL INCIDENT ON JANUARY 2, 2014 AT HARTSFIELD-JACKSON ATLANTA INTERNATIONAL AIRPORT, 8700 SPINE ROAD. (DOA/NA) #5214
CLAIM OF: Frank Moen through his Attorneys
Rogers & Strimban, LLC
244 Roswell Street, Suite 100
Marietta, Georgia 30060
- 14-R-4143 (20) FOR BODILY INJURY ALLEGED TO HAVE BEEN SUSTAINED AS A RESULT OF A MOTOR VEHICLE ACCIDENT ON OCTOBER 7, 2013 ON HOLLYWOOD ROAD AND HOLLYWOOD DRIVE. (NA/09) #5179
CLAIM OF: Michael Peacock through his Attorney
The Founders Law Firm
2900 Chamblee-Tucker Road, Building 7, Suite 300
Atlanta, Georgia 30341
(Councilmember Adrean made a motion to approve Items F1-F20)
FAVORABLE

REGULAR

G. ORDINANCES FOR SECOND READING

- 14-O-1428 (1) AN ORDINANCE BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE AMENDING THE 2015 (INTERGOVERNMENTAL GRANT FUND) BUDGET, DEPARTMENT OF POLICE, BY ADDING TO ANTICIPATIONS AND APPROPRIATIONS, THE AMOUNT OF TWO THOUSAND, SEVEN HUNDRED SIXTY-EIGHT DOLLARS (\$2,768.00), FOR MODIFICATION #4 TO GRANT G13GA0003A ("GRANT") 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 HITDA"); TO DISRUPT AND DISMANTLE DRUG TRAFFICKING ORGANIZATIONS; AND FOR OTHER PURPOSES.

RESULT: FAVORABLE

AYES: Clarence "C. T." Martin, Yolanda Adrean, Kwanza Hall, Mary Norwood

ABSENT: Keisha Lance Bottoms, Michael Julian Bond, Clela Winslow

14-O-1429 (2) AN ORDINANCE BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE AMENDING THE 2015 (INTERGOVERNMENTAL GRANT FUND) BUDGET, DEPARTMENT OF POLICE, BY ADDING TO ANTICIPATIONS AND APPROPRIATIONS, IN THE AMOUNT OF FORTY-ONE THOUSAND FIVE HUNDRED DOLLARS (\$41,500.00), TO GRANT G14GA0003A ("GRANT"), 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 HITDA"); TO DISRUPT AND DISMANTLE DRUG TRAFFICKING ORGANIZATIONS; AND FOR OTHER PURPOSES.

RESULT: FAVORABLE

AYES: Clarence "C. T." Martin, Yolanda Adrean, Kwanza Hall, Mary Norwood

ABSENT: Keisha Lance Bottoms, Michael Julian Bond, Cleta Winslow

14-O-1430 (3) AN ORDINANCE BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE AMENDING THE FY15 (INTERGOVERNMENTAL GRANT FUND) BUDGET FOR THE CITY OF ATLANTA MUNICIPAL COURT, COMMUNITY COURT DIVISION, BY ADDING TO ANTICIPATIONS AND APPROPRIATIONS IN THE AMOUNT OF ONE HUNDRED TWENTY SIX THOUSAND NINE HUNDRED EIGHTY DOLLARS (\$126,980.00) FROM THE GEORGIA DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL DISABILITIES ("DBHDD") FOR THE PURPOSE OF CONTINUING CLINICAL ASSESSMENT SERVICES FOR CRIMINAL DEFENDANTS PARTICIPATING IN COMMUNITY COURT; AND FOR OTHER PURPOSES.

RESULT: FAVORABLE

AYES: Clarence "C. T." Martin, Yolanda Adrean, Kwanza Hall, Mary Norwood

ABSENT: Keisha Lance Bottoms, Michael Julian Bond, Cleta Winslow

H. RESOLUTIONS

14-R-4144 (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 CHAUNCEY POPE V. JAMES CUNNINGHAM, (A/K/A JASON CUNNINGHAM), LI WONG, PAUL MERRITT AND BRANDON HAMBERGER, - CIVIL ACTION FILE NUMBER 1:13-CV01848-WCO, UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF GEORGIA, ATLANTA DIVISION, IN THE AMOUNT OF \$200,000.00; AUTHORIZING PAYMENT OF \$200,000.00 TO BE CHARGED TO AND PAID FROM FUND 1001 (GENERAL FUND), CENTER NUMBER 200101 (NON-DEPARTMENTAL), ACCOUNT 5212005 (LITIGATION EXPENSES) AND FUNCTIONAL ACTIVITY NUMBER 1512000 (ACCOUNTING); AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

RESULT: FAVORABLE

AYES: Clarence "C. T." Martin, Yolanda Adrean, Kwanza Hall, Mary Norwood

ABSENT: Keisha Lance Bottoms, Michael Julian Bond, Cleta Winslow

14-R-4145 (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 DONALD GARDNER V. CITY OF ATLANTA, CIVIL ACTION FILE NO. 2011-EV-012348E, FULTON COUNTY STATE COURT, IN THE AMOUNT OF \$70,000.00; AUTHORIZING SAID AMOUNT TO BE PAID FROM 5051 (WATER & WASTEWATER REVENUE FUND) 171001 (DWM WASTEWATER TREATMENT) 5750002 (PROPERTY LIQUIDATION) AND 4410000 (SANITARY ADMINISTRATION); AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE TOTAL SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

RESULT: FAVORABLE

AYES: Clarence "C. T." Martin, Yolanda Adrean, Kwanza Hall, Mary Norwood

ABSENT: Keisha Lance Bottoms, Michael Julian Bond, Cleta Winslow

14-R-4146 (3) A RESOLUTION BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE AUTHORIZING THE SETTLEMENT OF ALL CLAIMS AGAINST OFFICER OMARI PRICE IN THE CASE OF KEVIN WILSON V. CITY OF ATLANTA, GEORGIA AND OMARI PRICE, CIVIL ACTION FILE NUMBER 1:13-CV-01034-RLV, UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF GEORGIA, ATLANTA DIVISION, IN THE AMOUNT OF \$47,500.00; AUTHORIZING PAYMENT OF \$47,500.00 TO BE CHARGED TO AND PAID FROM FUND 1001 (GENERAL FUND), CENTER NUMBER 200101 (NON-DEPARTMENTAL), ACCOUNT 5212005 (LITIGATION EXPENSES) AND FUNCTIONAL ACTIVITY NUMBER 1512000 (ACCOUNTING); AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

RESULT: FAVORABLE

AYES: Martin, Bottoms, Adrean, Hall, Norwood

ABSENT: Michael Julian Bond, Cleta Winslow

I. PAPERS HELD IN COMMITTEE

14-O-1014 (1) 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 1/14/14 at the request of the Law Department for further review)**

14-O-1069 (2) AN ORDINANCE BY COUNCILMEMBER MICHAEL J. BOND TO AMEND CHAPTER 10 (ALCOHOLIC BEVERAGES), ARTICLE II (DEALERS AND MANUFACTURER), DIVISION 2 (LICENSE), SUBDIVISION III (RENEWAL, REVOCATION AND TRANSFER) OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA, SO AS TO CREATE MANDATORY PROGRESSIVE PENALTIES FOR DUE CAUSE FINDINGS MADE BY THE LICENSE REVIEW BOARD AND PENALTIES IMPOSED BY THE MAYOR; TO WAIVE CONFLICTING ORDINANCES AND CODE SECTIONS; AND FOR OTHER PURPOSES. **(Held 2/14/14 for more information)**

- 14-O-1070 (3) AN ORDINANCE BY COUNCILMEMBERS ALEX WAN AND MICHAEL J. BOND TO AMEND CHAPTER 10 (ALCOHOLIC BEVERAGES), ARTICLE II (DEALERS AND MANUFACTURERS), DIVISION 2 (LICENSE), SUBDIVISION III (RENEWAL, REVOCATION AND TRANSFER), SECTION 10-109.1 ("MANDATORY PROGRESSIVE PENALTIES FOR 'DUE CAUSE' FINDINGS BY THE LICENSE REVIEW BOARD AND PENALTIES IMPOSED BY THE MAYOR") OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA, SO AS TO AUTHORIZE THE MAYOR TO ACT UPON LICENSE REVIEW BOARD DUE CAUSE RECOMMENDATIONS WITHIN 60 DAYS OF THE BOARD'S FINDING; AND FOR OTHER PURPOSES. **(Held 2/14/14 for more information)**
- 14-O-1336 (4) AN ORDINANCE BY COUNCILMEMBER KEISHA LANCE BOTTOMS AMENDING THE CITY OF ATLANTA CODE OF ORDINANCES ADDING SECTION 62-48 TO PART II, CHAPTER 62 COURTS, ARTICLE II MUNICIPAL COURT, DIVISION 1 OF THE CITY OF ATLANTA CODE OF ORDINANCES FOR THE PURPOSE OF ESTABLISHING MUNICIPAL COURT HOURS OF OPERATION; AND FOR OTHER PURPOSES. **(Held 6/24/14 for the companion legislation #14-O-1337)**
- 14-O-1337 (5) AN ORDINANCE BY COUNCILMEMBER KEISHA LANCE BOTTOMS TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965, O.C.G.A. SECTION 36-35-1. ET SEQ., AS AMENDED, SO AS TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, 1996 GA LAWS P. 4469, ET SEQ., BY AMENDING SUBPART A, ARTICLE 4, COURTS, SECTIONS 4-104 (G) AND 4-105(B) OF THE CITY OF ATLANTA CODE OF ORDINANCES FOR THE PURPOSE OF MODIFYING JUDGE COMPENSATION AND CHIEF JUDGE DUTIES; AND FOR OTHER PURPOSES. **(2nd Reading, 1st Adoption) (Held 6/24/14 for a Work Session)**
- 14-R-4103 (6) A RESOLUTION BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE AUTHORIZING THE MAYOR OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT WITH "THE BETTER OUTCOMES FOUNDATION, INC." ON BEHALF OF THE DEPARTMENT OF FIRE RESCUE FOR THE PURPOSE OF PROVIDING FREE COMMUNITY CARDIAC PULMONARY RESUSCITATION (CPR) TRAINING TO CITIZENS OF ATLANTA AND FOR OTHER PURPOSES. **(Held 8/26/14 for further review)**

J. REQUESTED ITEMS

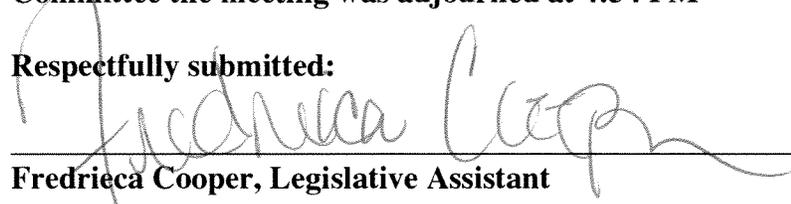
1. Councilmember Martin requested the Mayor to consider making his appointment to the Atlanta Citizen Review Board.

K. REMARKS FROM THE PUBLIC

Michael Langford, Public Speaker
 Willie Brown, Public Speaker
 Larry Miller, Public Speaker

There being no further business to come before the Public Safety & Legal Administration Committee the meeting was adjourned at 4:54 PM

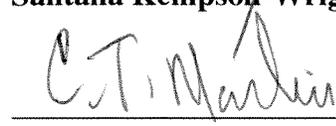
Respectfully submitted:



Fredrica Cooper, Legislative Assistant



Santana Kempson-Wright, Research & Policy Analyst



The Honorable C. T. Martin, Chair