



CITY COUNCIL
ATLANTA, GEORGIA

04-O- 1157

AN AMENDED ORDINANCE

BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE:

AN ORDINANCE AUTHORIZING THE SETTLEMENT OF ALL CLAIMS IN THE CASE OF INGER D. FLOUNNORY DAVIS V. BRYAN F. ASHE, IN THE STATE COURT OF DOUGLAS COUNTY, GEORGIA, CIVIL ACTION FILE NO. 04SV00196, IN THE AMOUNT OF \$6,000.00; SAID PAYMENT IS TO BE CHARGED TO AND PAID FROM FUND, 1A01 (GENERAL FUND), ACCOUNT 529017 (PROPERTY LIQUIDATION) AND CENTER NUMBER T31001 (NON-DEPARTMENTAL); TO WAIVE SECTION 2-783(h); AND FOR OTHER PURPOSES.

WHEREAS, on June 7, 2002, City of Atlanta Police Department employee Officer Bryan F. Ashe, while operating a City of Atlanta motor vehicle, was involved in a collision with the motor vehicle being operated by Inger D. Flounnory Davis; and

WHEREAS, as a result of the collision Inger D. Flounnory Davis suffered personal injury, pain, and suffering; and

WHEREAS, Ms. Davis has brought suit in the State Court of Douglas County seeking damages for personal injury, lost wages, medical expenses, and physical pain and suffering; and

WHEREAS, Ms. Davis has incurred approximately \$4,538.00 in medical expenses related to injuries resulting from the collision; and

WHEREAS, counsel for the parties have tentatively agreed to resolve all claims in this matter for a total of \$6,000.00, including attorney's fees, contingent upon the approval of the Council of the City of Atlanta and the Mayor; and

WHEREAS, by this settlement neither the City of Atlanta nor Bryan F. Ashe admit liability or wrongdoing; and



WHEREAS, the offer of settlement acceptable to Plaintiff is, in the opinion of the City Attorney, appropriate to settle all claims against Bryan F. Ashe and the City of Atlanta arising out of the case of Inger D. Flounnory Davis v. Bryan F. Ashe;

THE COUNCIL OF THE CITY OF ATLANTA, HEREBY ORDAINS as follows:

SECTION 1. The City Attorney is hereby authorized to settle the case of Inger D. Flounnory Davis v. Bryan F. Ashe in the amount of Six Thousand Dollars and Zero Cents (\$6,000.00).

SECTION 2. Said payment is to be charged to and paid from Fund, 1A01 (General Fund), Account 529017 (Property Liquidation) and Center Number T31001 (Non-Departmental). Payment shall be in the form of a check in the amount of \$6,000.00, payable to Inger D. Flounnory Davis and Jack O. Morse, attorney at law. Such payment will be in full consideration of the dismissal of all claims against Bryan F. Ashe, the City of Atlanta, and its current and former officers.

SECTION 3. To the extent that Section 2-783(h) of the Code of Ordinances of the City of Atlanta is in conflict herewith, that subsection is waived for this instance only to permit the payment of \$6,000.00 on behalf of Bryan F. Ashe.

A true copy

Ronda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED as amended by the Council
APPROVED by the Mayor

JUL 19, 2004
JUL 22, 2004

RCS# 5906
7/19/04
2:07 PM

Atlanta City Council

Regular Session

CONSENT I CONSENT I PG(S) 1-9, EXCEPT: 04-R-1241

ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 0
EXCUSED: 0
ABSENT 1

Y Smith	Y Winslow	Y Shook	Y Martin	Y Mitchell
Y Starnes	Y Archibong	Y Muller	Y Maddox	Y Norwood
Y Young	Y Fauver	Y Moore	B Mosley	Y Willis

CONSENT I

7-19-04 Council Meeting	
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 04-O-1154	33. 04-R-1222
2. 04-O-1156	34. 04-R-1223
3. 04-O-0765	35. 04-R-1224
4. 04-O-1249	36. 04-R-1225
5. 04-O-1263	37. 04-R-1226
6. 04-O-1034	38. 04-R-1227
7. 04-O-1265	39. 04-R-1228
8. 04-O-1266	40. 04-R-1229
9. 04-O-1264	41. 04-R-1230
10. 04-O-1151	42. 04-R-1231
11. 04-O-1262	
12. 04-O-1157	
13. 04-O-1269	
14. 04-R-1044	
15. 04-R-1049	
16. 04-R-1219	
17. 04-R-1290	
18. 04-R-1210	
19. 04-R-1289	
20. 04-R-1215	
21. 04-R-1216	
22. 04-R-1217	
23. 04-R-1218	
24. 04-R-1232	
25. 04-R-1233	
26. 04-R-1234	
27. 04-R-1235	
28. 04-R-1236	
29. 04-R-1237	
30. 04-R-1238	
31. 04-R-1239	
32. 04-R-1240	

04-0-1157
 (Do Not Write Above This Line)

RESOLUTION BY
 PUBLIC SAFETY AND LEGAL
 ADMINISTRATION COMMITTEE

A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS IN THE CASE OF INGER D. FLOURNORY DAVIS V. BRYAN F. ASHE, IN THE STATE COURT OF DOUGLAS COUNTY, GEORGIA, CIVIL ACTION FILE NO. 04SY00196, IN THE AMOUNT OF \$6,000.00; SAID PAYMENT IS TO BE CHARGED TO AND PAID FROM FUND 1A01 (GENERAL FUND) ACCOUNT 529017 (PROPERTY LIQUIDATION) AND CENTER NUMBER T31001 (NON-DEPARTMENTAL) AND FOR OTHER PURPOSES.

[Signature]
 Jerry L. DeLoach
 Deputy City Attorney
 7/04

- CONSENT REFER **ADOPTED BY**
- REGULAR REPORT REFER **JUL 19 2004**
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & **REBOUNCIL**
- PERSONAL PAPER REFER

Date Referred: 7/6/04
 Referred To: Public Safety
 Date Referred:
 Referred To:
 Date Referred:
 Referred To:

Committee *[Signature]* First Reading
 Date *[Signature]*
 Chair *[Signature]*
 Referred To *[Signature]*

PS Committee Date <i>[Signature]</i> Chair Action Fav, Adv, Hold (see rev. side) Other Members	Committee Date Chair Action Fav, Adv, Hold (see rev. side) Other Members
Refer To	Refer To

PSLA Committee Date <i>[Signature]</i> Chair Action Fav, Adv, Hold (see rev. side) Other Members	Committee Date Chair Action Fav, Adv, Hold (see rev. side) Other Members
Refer To	Refer To

- FINAL COUNCIL ACTION
- 2nd
- 1st & 2nd
- 3rd
- Consent
- Readings
- V Vote
- RC Vote

CERTIFIED
 JUL 19 2004
 COUNCIL PRESIDENT PROTEM
[Signature]

CERTIFIED
 JUL 19 2004
 MUNICIPAL CLERK
[Signature]

APPROPRIATION
 JUL 29 2004
 MAYOR
[Signature]