

CITY COUNCIL  
ATLANTA, GEORGIA

A RESOLUTION

BY PUBLIC SAFETY AND LEGAL  
ADMINISTRATION COMMITTEE

04- R -1825

**A RESOLUTION AUTHORIZING PAYMENT IN THE AMOUNT OF \$2,045.40 IN SETTLEMENT OF THE CLAIM OF KWIND TURNER AGAINST THE CITY OF ATLANTA TO BE PAID FROM 2J01(WATER & SEWER) 529017 (PROPERTY LIQUIDATION) Q30001 (DEPUTY COMMISSIONER, TREATMENT & COLLECTIONS) AND FOR OTHER PURPOSES**

**WHEREAS**, Kwind Turner has filed a claim against the City of Atlanta seeking damages arising from vehicular accident on July 30, 2004 at 713 Ralph David Abernathy Boulevard, SW; and

**WHEREAS**, the driver of the City vehicle made an improper lane change and collided with the claimant's vehicle; and

**WHEREAS**, the claimant asserted damages in the amount of \$3,000.00 but has agreed to accept the sum of \$2,045.40 in full and complete satisfaction and settlement of his claim against the City of Atlanta; and

**WHEREAS**, the City Attorney has recommended that the claim of Kwind Turner be settled for the sum of \$2,045.40.

**WHEREAS**, the Council of the City of Atlanta adopted an favorable recommendation to settled this claim on September 20, 2004, however, the center number in the account number was incorrect.

**THEREFORE, BE IT RESOLVED** that Resolution 04-R-1594 be hereby rescinded.

**BE IT FURTHER RESOLVED** that the Council of the City of Atlanta, Georgia that \$2,045.40 be paid by the City of Atlanta in satisfaction of any and all claims Kwind Turner may have stemming from damages sustained due to a vehicular accident on July 30, 2004.

**BE IT FURTHER RESOLVED** that the Chief Financial Officer be and hereby authorized to pay the above mentioned sum from account number 2J01/529017/Q30001.

A true copy,

*Reanda Daughin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

October 18, 2004  
October 20, 2004

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 04L0521

Date: August 31, 2004

Claimant /Victim KWIND TURNER

BY: (Atty) (Ins. Co.) \_\_\_\_\_

Address: 1459 Belmont Avenue Atlanta, Georgia 30310

Subrogation: \_\_\_\_\_ Claim for Property damage \$ 3,000.00 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 08/06/04 Method: Written, proper X Improper \_\_\_\_\_

Conforms to Notice: O.C.G.A. §36-33-5 \_\_\_\_\_ X Ante Litem (6 Mo.) \_\_\_\_\_ X

Date of Occurrence 07/30/04 Place: 713 Ralph David Abernathy Boulevard, SW

Department Watershed Management Bureau: \_\_\_\_\_ Division: Sewer Operations

Employee involved Antonio Wallace Disciplinary Action: Counseling/Defensive Driving Course

NATURE OF CLAIM: The driver of a city vehicle made an improper lane change striking the claimant's vehicle causing damages in the above amount.

INVESTIGATION:

Statements: City employee X Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written X Oral \_\_\_\_\_

Pictures X Diagrams \_\_\_\_\_ Reports: Police X Dept Report X Other \_\_\_\_\_

Traffic citations issued: City Driver X Claimant Driver \_\_\_\_\_

Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial \_\_\_\_\_

Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable \_\_\_\_\_

City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement X

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

Claimant Negligent \_\_\_\_\_ City Negligent X Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

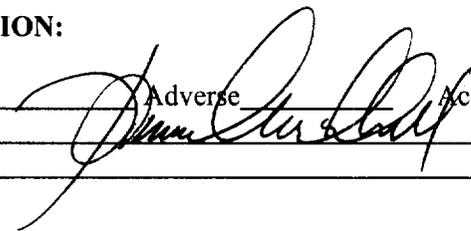
Respectfully submitted,



INVESTIGATOR - LISA CARTER

RECOMMENDATION:

Pay \$ 2,045.40 Adverse \_\_\_\_\_ Account charged: 1A01 \_\_\_\_\_ 2J01 X 2P01 \_\_\_\_\_

Claims Manager:  Concur/date 09/01/04

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_



**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

**04-R-1594**

**A RESOLUTION**

**BY PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE**

**BE IT RESOLVED BY** the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Kwind Turner** in the sum of **\$2,045.40** settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained **from an automobile accident on July 30, 2004 at 713 Ralph David Abernathy Boulevard, SW** as is more particularly set forth in the within claim; said sum taken from and charged to Account 2J01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

*Rhonda Dauphin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

SEP 20, 2004  
SEP 28, 2004



10-04-04 Council Meeting		
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 04-O-1570	38. 04-R-1772	48. 04-R-1783
2. 04-O-1586	39. 04-R-1773	49. 04-R-1784
3. 04-O-1667	40. 04-R-1774	50. 04-R-1785
4. 04-O-1669	41. 04-R-1775	51. 04-R-1786
5. 04-O-1670	42. 04-R-1776	52. 04-R-1787
6. 04-O-1671	43. 04-R-1777	53. 04-R-1788
7. 04-O-1672	44. 04-R-1778	54. 04-R-1789
8. 04-O-1658	45. 04-R-1779	55. 04-R-1790
9. 04-O-1807	46. 04-R-1780	56. 04-R-1791
10. 04-O-1810	47. 04-R-1781	57. 04-R-1792
11. 04-O-1813		58. 04-R-1793
12. 04-O-1817		59. 04-R-1794
13. 04-O-1850		
14. 04-O-1651		
15. 04-O-1654		
16. 04-O-1808		
17. 04-R-1472		
18. 04-R-1751		
19. 04-R-1798		
20. 04-R-1485		
21. 04-R-1759		
22. 04-R-1760		
23. 04-R-1761		
24. 04-R-1797		
25. 04-R-1824		
26. 04-R-1825		
27. 04-R-1762		
28. 04-R-1754		
29. 04-R-1755		
30. 04-R-1756		
31. 04-R-1757		
32. 04-R-1827		
33. 04-R-1799		
34. 04-R-1768		
35. 04-R-1769		
36. 04-R-1770		
37. 04-R-1771		

04-1825

Not Write Above This Line

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APPROVED BY:

JERRY L. DELOACH DEPUTY CITY ATTORNEY

ADOPTED BY OCT 18 2004

COUNCIL

- CONSENT REFER
REGULAR REPORT REFER
ADVERTISE & REFER
1st ADOPT 2nd READ & REFER
PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee Date Chair Referred to

ASLA

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

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

CERTIFIED

CERTIFICATE OCT 18 2004 ALABAMA MUNICIPAL PRESIDENT

CERTIFICATE

OCT 18 2004

MAYOR'S ACTION

APPROVED

Signature of Mayor