10- R -0724
(Do Not Write Above This Line)

A RESOLUTION

BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE:

A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS AGAINST THE CITY OF ATLANTA IN THE CASE OF *STATE FARM MUTUAL AUTOMOTIVE INSURANCE COMPANY a/s/o of* SHEILA WHEAT *v. CITY OF ATLANTA*, CIVIL ACTION FILE NO. 2009EV008674Y, IN THE AMOUNT OF $1,800.00; AUTHORIZING SAID PAYMENT TO BE CHARGED TO AND PAID FROM FUND 1001 (GENERAL FUND), ACCOUNT 200101 (LITIGATION EXPENSES) and CENTER NUMBER 5212005 (NON-DEPARTMENTAL) and 1512000 (FUNCTIONAL ACTIVITY NUMBER) AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

APPROVED BY:

JERRY L. DELOACH
DEPUTY CITY ATTORNEY

ADOPTED BY
MAY 0 3 2010
COUNCIL

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

Date Referred
Referred To:
Date Referred
Refferred To:
Date Referred
Referred To:

First Reading
Committee
Date
Chair
Referred To

PSLA Committee	Committee
4/27/10 Date	Date
Chair	Chair
Action: Fav, Adv, Hold (see rev. side) Other	Action: Fav, Adv, Hold (see rev. side) Other
Members	Members
Refer To	Refer To
Committee	Committee
Date	Date
Chair	Chair
Action: Fav, Adv, Hold (see rev. side) Other	Action: Fav, Adv, Hold (see rev. side) Other
Members	Members
Refer To	Refer To

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

CERTIFIED

CERTIFIED
MAY 0 3 2010
ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED
MAY 0 3 2010
Rhonda Dauphin Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED
MAY 2010
MAYOR

CITY COUNCIL
ATLANTA, GEORGIA

10- R -0724

A RESOLUTION

10-R-_____

BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS AGAINST THE CITY OF ATLANTA IN THE CASE OF *STATE FARM MUTUAL AUTOMOTIVE INSURANCE COMPANY a/s/o of* SHEILA WHEAT *v. CITY OF ATLANTA*, CIVIL ACTION FILE NO. 2009EV008674Y, IN THE AMOUNT OF $1,800.00; AUTHORIZING SAID PAYMENT TO BE CHARGED TO AND PAID FROM FUND 1001 (GENERAL FUND), ACCOUNT 200101 (LITIGATION EXPENSES) and CENTER NUMBER 5212005 (NON- DEPARTMENTAL) and 1512000 (FUNCTIONAL ACTIVITY NUMBER) AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

WHEREAS, ***State Farm Mutual Insurance Company as Subrogee of Sheila Wheat v. City of Atlanta***, is a case involving alleged vehicle property damage resulting from a vehicle accident involving a City of employee driving a City of Atlanta vehicle;

WHEREAS, Plaintiff alleges that her vehicle was damaged as a result of City employees' failure to stay in his lane of travel;

WHEREAS, Plaintiff sought monetary damages for the repairs she incurred as well as attorney's fees and costs of litigation;

WHEREAS, Plaintiff has agreed to accept $1,800.00, in full settlement of all claims against the City of Atlanta, which includes attorney's fees and costs of litigation;

WHEREAS, the City Attorney has done extensive review of the facts and the law and has determined that the City's potential financial exposure in defending Plaintiff's claims is in excess of the settlement amount;

WHEREAS, the City Attorney considers it to be in the best interest of the City to pay the amount of $1,800.00 to settle all claims against the City of Atlanta; and

THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA hereby resolves as follows:

SECTION 1. The City Attorney is hereby authorized to settle and execute all documents in the case of ***State Farm Mutual Insurance Company as Subrogee of Sheila Wheat v. City of Atlanta*** in the amount of Eighteen Hundred Dollars and no Cents ($1,800.00).

SECTION 2. The Chief Financial Officer is authorized to make payment from **Fund 1001 (General Fund), Account 200101 (Litigation Expenses) and Center Number 5212005 (Non-departmental) and 1512000 (Functional Activity Number). Payment shall be in the form of a check in the amount of $1,800.00 payable to R.W. Parnell Trust Account for 952-0878**. Such payment shall be in full consideration of the dismissal of all claims against the City of Atlanta and its current and former officers and employees.

A true copy,
Rhonda Daughtin Johnson
Municipal Clerk

ADOPTED by the Atlanta City Council **MAY 03, 2010**
APPROVED by Mayor kasim Reed **MAY 11, 2010**

RCS# 209
5/03/10
2:27 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

ADOPT

YEAS:	11
NAYS:	0
ABSTENTIONS:	0
NOT VOTING:	3
EXCUSED:	0
ABSENT	2

NV Smith	Y Archibong	Y Moore	B Bond
Y Hall	Y Wan	Y Martin	NV Watson
Y Young	Y Shook	Y Bottoms	Y Willis
B Winslow	Y Adrean	Y Sheperd	NV Mitchell

		05-03-10
ITEMS ADOPTED ON CONSENT	**ITEMS ADOPTED ON CONSENT**	**ITEMS ADVERSED ON CONSENT**
1. 10-O-0393	36. 10-R-0642	76. 10-R-0682
2. 10-O-0492	37. 10-R-0651	77. 10-R-0683
3. 10-O-0598	38. 10-R-0783	78. 10-R-0684
4. 10-O-0595	39. 10-R-0789	79. 10-R-0685
5. 10-O-0782	40. 10-R-0724	80. 10-R-0686
6. 10-O-0790	41. 10-R-0725	81. 10-R-0687
7. 10-R-0652	42. 10-R-0726	82. 10-R-0688
8. 10-R-0749	43. 10-R-0771	83. 10-R-0689
9. 10-R-0750	44. 10-R-0736	84. 10-R-0690
10. 10-R-0753	45. 10-R-0737	85. 10-R-0691
11. 10-R-0754	46. 10-R-0738	86. 10-R-0692
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13. 10-R-0756	48. 10-R-0654	88. 10-R-0694
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16. 10-R-0759	51. 10-R-0657	91. 10-R-0697
17. 10-R-0770	52. 10-R-0658	92. 10-R-0698
19 10-R-0775	53. 10-R-0659	93. 10-R-0699
20. 10-R-0781	54. 10-R-0660	94. 10-R-0700
21. 10-R-0786	55. 10-R-0661	95. 10-R-0701
22. 10-R-0787	56. 10-R-0662	96. 10-R-0702
23. 10-R-0797	57. 10-R-0663	97. 10-R-0703
24. 10-R-0799	58. 10-R-0664	98. 10-R-0704
25. 10-R-0800	59. 10-R-0665	99. 10-R-0705
26. 10-R-0620	60. 10-R-0666	100. 10-R-0706
27. 10-R-0621	61. 10-R-0667	101. 10-R-0707
28. 10-R-0622	62. 10-R-0668	102. 10-R-0708
29. 10-R-0625	63. 10-R-0669	103. 10-R-0709
30. 10-R-0626	64. 10-R-0670	104. 10-R-0710
31. 10-R-0637	65. 10-R-0671	105. 10-R-0711
32. 10-R-0752	66. 10-R-0672	106. 10-R-0712
33. 10-R-0496	67. 10-R-0673	107. 10-R-0713
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35. 10-R-0641	69. 10-R-0675	109. 10-R-0715
	70. 10-R-0676	110. 10-R-0716
	71. 10-R-0677	111. 10-R-0717
	Items Adversed	112. 10-R-0718
	72. 10-R-0678	113. 10-R-0719
	73. 10-R-0679	114. 10-R-0720
	74. 10-R-0680	115. 10-R-0721
	75. 10-R-0681	116. 10-R-0722
		117. 10-R-0723