

11-R-1265

(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 JOE and JANICE SANDERS v. CITY OF ATLANTA, CIVIL ACTION FILE NO. 201EV011458J, IN THE AMOUNT OF \$8,500.00; AUTHORIZING SAID PAYMENT TO BE CHARGED TO AND PAID FROM FUND 1001 (GENERAL FUND), ACCOUNT 200101 (LITIGATION EXPENSES) 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:

[Signature]

ERIC RICHARDSON DEPUTY CITY ATTORNEY

ADOPTED BY

SEP 06 2011

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

PSLA Committee, 8/30/11 Date, [Signature] Chair, Action, Fav, Adv, Hold (see rev. side) Other

Members, [Signatures], 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, Consent, V Vote, RC Vote

CERTIFIED

CERTIFIED SEP 06 2011 COUNCIL PRESIDENT PROTEM

CERTIFIED SEP 03 2011 Rhonda Daughlin Johnson MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED SEP 15 2011 WITHOUT SIGNATURE BY OPERATION OF LAW



RESOLUTION

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WHEREAS, Joe and Janice Sanders 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, Plaintiffs allege that their vehicle was damaged as a result of a City employee negligently crossing lanes of traffic and striking the rear of Plaintiffs' vehicle;

WHEREAS, Plaintiffs sought monetary damages for, property damages incurred, attorney's fees and the costs of litigation;

WHEREAS, Plaintiffs have agreed to accept \$8,500.00, 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 Plaintiffs' claims is in excess of the settlement amount; and

WHEREAS, the City Attorney considers it to be in the best interest of the City to pay the amount of \$8,500.00 to settle all claims against the City of Atlanta;



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 Joe and Janice Sanders v. City of Atlanta in the amount of Eight Thousand Five Hundred Dollars and no Cents (\$8,500.00).

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 \$8,500.00 payable to Joe and Janice Sanders and Attorney David R. Moore, Peachtree Law Group, 125 Flat Creek Trail, Suite 100, Fayetteville, GA 30214. 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,

Deputy Municipal Clerk

ADOPTED by the Atlanta City Council
APPROVED as per City Charter Section 2-403

Sept. 6, 2011
Sept. 15, 2011

RCS# 1358
9/06/11
2:37 PM

Atlanta City Council

REGULAR SESSION

CONSENT

CONSENT AGENDA SECTION I

ADOPT

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

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

CONSENT