

11-R-1348

(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 *JO D. WILSON v. CITY OF ATLANTA*, CIVIL ACTION FILE NO. 2010EV009879G, PENDING IN FULTON COUNTY STATE COURT, IN THE AMOUNT OF \$405,000.00; 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

[Signature]
 ERIC RICHARDSON
 CHIEF FINANCIAL OFFICER

As Amended

- 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

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

[Signature]

[Signature]
 Refer To
[Signature]

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

ADOPTED BY

SEP 19 2011

COUNCIL

Refer To

CERTIFIED
 SEP 19 2011
[Signature]
 RICHARDSON
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

SEP 28 2011

WITHOUT SIGNATURE
 BY OPERATION OF LAW

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

CERTIFIED
 SEP 19 2011

ATLANTA CITY COUNCIL PRESIDENT

[Signature]



AN AMENDED RESOLUTION
BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS AGAINST THE CITY OF ATLANTA IN THE CASE OF JO D. WILSON v. CITY OF ATLANTA, CIVIL ACTION FILE NO. 2010EV009879G, PENDING IN FULTON COUNTY STATE COURT, IN THE AMOUNT OF \$405,000.00; AUTHORIZING SAID PAYMENT 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.

WHEREAS, Jo D. Wilson v. City of Atlanta, is a case involving alleged serious bodily injury resulting from a vehicle accident that occurred on or about January 10, 2009, when a City of Atlanta Police vehicle driven by Officer Reginald Pettis, collided with the vehicle in which Ms. Wilson was a backseat passenger;

WHEREAS, Plaintiff alleges that she suffered extensive injuries as a result of the auto accident with City of Atlanta Police Officer, who allegedly was operating a motor vehicle in a negligent manner;

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

WHEREAS, Plaintiff has agreed to accept \$405,000.00, 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; and

WHEREAS, the City Attorney considers it to be in the best interest of the City to pay the amount of \$405,000.00 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 Jo D. Wilson v. City of Atlanta in the amount of Four Hundred Five Thousand Dollars and no Cents (\$405,000.00).



SECTION 2. The Chief Financial Officer is authorized to make payment from Fund 1001 (General Fund), Center Number 200101 (Non-Departmental) and Account 5212005 (Litigation Expenses) and Functional Activity Number 1512000 (Accounting). Payment shall be in the form of a check in the amount of \$405,000.00 payable to Jo. D. Wilson and her attorneys Owen & Gleaton, 1230 Peachtree Street, N.E., Suite 1400, Atlanta, GA 30309. 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,

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

Sept. 19, 2011
Sept. 28, 2011

Rhonda Daughin Johnson
Municipal Clerk

RCS# 1410
9/19/11
3:51 PM

Atlanta City Council

REGULAR SESSION

PROCEDURE

9/19/2011 CONSENT AGENDA SECTION 1
EXCEPT 11-O-1241 AND 11-O-0740
ADOPT

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 6
EXCUSED: 0
ABSENT 0

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

PROCEDURE

RCS# 1409
9/19/11
3:50 PM

Atlanta City Council

REGULAR SESSION

PROCEDURE 9/19/2011 CONSENT AGENDA SECTION 1

RECONSIDER

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 6
EXCUSED: 0
ABSENT 0

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

PROCEDURE

		09-19-11
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 11-O-1239 2. 11-O-1240 3. 11-O-1361 4. 11-O-1362 5. 11-O-1363 6. 11-O-1364 7. 11-O-1243 8. 11-O-1268 9. 11-O-1242 10. 11-O-1261 11. 11-O-1249 12. 11-O-1251 13. 11-O-1267 14. 11-O-1295 15. 11-O-1250 16. 11-O-1357 17. 11-O-1098 18. 11-O-1225 19. 11-O-1226 20. 11-O-1227 21. 11-O-1353 22. 11-R-1313 23. 11-R-1347 24. 11-R-1348 25. 11-R-1349 26. 11-R-1350 27. 11-R-1352 28. 11-R-1054 29. 11-R-1325 30. 11-R-1326 31. 11-R-1327 32. 11-R-1356 33. 11-R-1317 34. 11-R-1318 35. 11-R-1012 36. 11-R-1304 37. 11-R-1305	38. 11-R-1306 39. 11-R-1307 40. 11-R-1308 41. 11-R-1309 42. 11-R-1310 43. 11-R-1328 44. 11-R-1329 45. 11-R-1330 46. 11-R-1331	47. 11-R-1332 48. 11-R-1333 49. 11-R-1334 50. 11-R-1335 51. 11-R-1336 52. 11-R-1337 53. 11-R-1338 54. 11-R-1339 55. 11-R-1340 56. 11-R-1341 57. 11-R-1342 58. 11-R-1343 59. 11-R-1344