

11-1623

(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 ERAN RANDALL v. CITY OF ATLANTA, CIVIL ACTION FILE NO. 2010EV01143C, PENDING IN FULTON COUNTY STATE COURT, IN THE AMOUNT OF \$23,000.00; 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

ERIC RICHARDSON
DEPUTY CITY ATTORNEY

ADOPTED BY
NOV 21 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:
Referred To:

First Reading
Committee _____
Date _____
Chair _____
Referred To _____

Public Safety & Legal Admin
11/15/11
Date
Chair
Action
Fav./Adv. Hold (See rev. side)
Other
Members

Johnson
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

Committee _____
Date _____
Chair _____
Action
Fav. Adv. Hold (See rev. side)
Other
Members

Refer To

Refer To

FINAL COUNCIL ACTION
 2ND 1ST & 2ND 3RD
Readings
 Consent V Vote RC Vote

CERTIFIED
NOV 21 2011
ATLANTA CITY COUNCIL PRESIDENT


CERTIFIED
NOV 21 2011
Rachel Dunbar Johnson
MUNICIPAL CLERK

MAYOR'S ACTION
APPROVED
NOV 30 2011
WITHOUT SIGNATURE
BY OPERATION OF LAW



CITY COUNCIL
ATLANTA, GEORGIA

A RESOLUTION

11- R -1623

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 ERIAN RANDALL v. CITY OF ATLANTA, CIVIL ACTION FILE NO. 2010EV011143C, PENDING IN FULTON COUNTY STATE COURT, IN THE AMOUNT OF \$23,000.00; 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.

WHEREAS, ERIAN RANDALL v. CITY OF ATLANTA, is a case involving alleged injuries resulting from a vehicle accident that occurred on or about June 5, 2009, when a City of Atlanta Police vehicle driven by Officer Jamie Young, collided with Erian Randall's vehicle;

WHEREAS, Plaintiff alleges that she suffered serious 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, as the proximate cause of Plaintiff's bodily injuries;

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

WHEREAS, Plaintiff has agreed to accept \$23,000.00, 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 \$23,000.00 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 **ERIAN RANDALL v. CITY OF ATLANTA** in the amount of Twenty Three Thousand Dollars and no Cents (\$23,000.00).

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 \$23,000.00 payable to Erian Randall and Monge & Associates, 8205 Dunwoody Place, Building 19, Atlanta, GA 30350. 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,

A handwritten signature in black ink, appearing to be 'S. Bell', written over a horizontal line.

Deputy Municipal Clerk

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

Nov. 21, 2011
Nov. 30, 2011

RCS# 1554
11/21/11
2:02 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

ALL ITEMS EXCEPT 11-O-1553

ADOPT

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 0

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

CONSENT I

RCS# 1553
11/21/11
2:00 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

RECONSIDER

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

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

CONSENT I

RCS# 1552
11/21/11
1:59 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

CONSENT AGENDA SECTION I

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

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

CONSENT I