

**11-1624**  
 (Do Not Write Above This Line)

**A RESOLUTION**

BY PUBLIC SAFETY & LEGAL  
 ADMINISTRATION COMMITTEE

A RESOLUTION RESCINDING  
 RESOLUTION NUMBERS 11-  
 R-1389 AND 11-R-1449 AND  
 AUTHORIZING PAYMENT IN  
 THE AMOUNT OF \$5,601.03 IN  
 SETTLEMENT OF THE  
 PROPERTY DAMAGE CLAIM  
 OF THE  
 PROGRESSIVE  
 INSURANCE COMPANY AS  
 SUBROGEE OF GARY COX,  
 AGAINST THE CITY OF  
 ATLANTA AND FOR OTHER  
 PURPOSES

By: *Eric Richardson*  
 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: \_\_\_\_\_

**First Reading**

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Referred To \_\_\_\_\_

**PSLA Committee**

11/15/11 Date

*Clayton J. ...*  
 Chair

Fav, Adv, Hold (see rev. side)  
 Action  
 Other

Members

Refer To

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Fav, Adv, Hold (see rev. side)  
 Action  
 Other

Members

Refer To \_\_\_\_\_

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Fav, Adv, Hold (see rev. side)  
 Action  
 Other

Members

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Fav, Adv, Hold (see rev. side)  
 Action  
 Other

Members

Refer To \_\_\_\_\_

Refer To \_\_\_\_\_

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

**CERTIFIED**

**CERTIFIED**  
 NOV 21 2011

ATLANTA CITY COUNCIL PRESIDENT

*Richardson*

**CERTIFIED**  
 NOV 21 2011

*Richardson*  
 MAYOR'S ACTION

MAYOR'S ACTION

**APPROVED**

NOV 30 2011

WITHOUT SIGNATURE  
 BY OPERATION OF LAW



**A RESOLUTION**

**BY PUBLIC SAFETY AND LEGAL  
ADMINISTRATION COMMITTEE**

**11- R -1624**

**A RESOLUTION TO RESCIND RESOLUTION  
NUMBERS 11-R-1389 AND 11-R1449 AND  
AUTHORIZING PAYMENT IN THE AMOUNT OF  
\$5,601.03 IN SETTLEMENT OF THE PROPERTY  
DAMAGE CLAIM OF PROGRESSIVE INSURANCE  
COMPANY AS SUBROGEE OF GARY COX, AGAINST  
THE CITY OF ATLANTA AND FOR OTHER  
PURPOSES**

**WHEREAS**, the City Council adopted Resolution Number 11-R-1389 on October 3, 2011 and inadvertently adopted duplicate Resolution Number 11-R-1449 on October 17, 2011 authorizing payments to Progressive Insurance Company as subrogee of Gary Cox for property damages alleged to have been sustained as a result of a vehicular accident on March 4, 2011 at 71 University Avenue; and

**WHEREAS**, the resolution authorized a settlement in the amount of \$6,898.03, but subsequently the City was made aware that the actual damages to the claimant's vehicle was in the amount of \$5,601.03;

**THEREFORE, BE IT RESOLVED** that Resolution Numbers 11-R-1389 and 11-R-1449 be hereby rescinded.

**BE IT FURTHER RESOLVED** that the Council of the City of Atlanta, Georgia that \$5,601.03 be paid by the City of Atlanta in satisfaction of any and all property damage claims of Progressive Insurance Company as subrogee of Gary Cox, may have against the City of Atlanta as a result of a vehicular accident on March 4, 2011 at 71 University Avenue.

**BE IT FURTHER RESOLVED** that the Chief Financial Officer be and is hereby authorized to pay the above mentioned sum from account number **1001(General Fund) 200101(NDP Reservation of Fund Appropriation) 5212005(Litigation Expense) 1512000(Accounting)**.

A true copy,

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