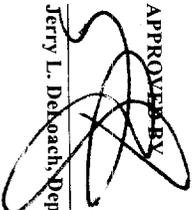


10-R-0227

(Do Not Write Above This Line)

A 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 SUSAN
COTTON V CITY OF ATLANTA CIVIL ACTION
FILE NO. 2009-CV-165304, FULTON COUNTY
SUPERIOR COURT, IN THE AMOUNT OF
\$113,000.00; AUTHORIZING SAID PAYMENT TO BE
PAID FROM FUND 1001 (GENERAL FUND) CENTER
NUMBER 200101 (NON DEPARTMENTAL)
ACCOUNT 5212005 (LITIGATION EXPENSES) AND
1512000 (FUNCTIONAL ACTIVITY) AUTHORIZING
THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE
THE SETTLEMENT AMOUNT; AND FOR OTHER
PURPOSES.

APPROVED BY

ADOPTED BY

Jerry L. DeLoach, Deputy City Attorney
FEB 0 1 2010

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

Date 1/26/10
 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 _____

Committee

Date _____
 Chair _____
 Action _____
 Fav, Adv, Hold (see rev. side)
 Other _____
 Members _____

Refer To _____

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

CERTIFIED

FEB 0 1 2010

RECEIVED
 FEB 0 1 2010

 MUNICIPAL CLERK

MAYOR'S ACTION



A RESOLUTION

10-R- -0227

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 SUSAN COTTON V. CITY OF ATLANTA CIVIL ACTION FILE NO. 2009-CV-165304, FULTON COUNTY SUPERIOR COURT, IN THE AMOUNT OF \$113,000.00; AUTHORIZING SAID PAYMENT TO BE PAID FROM FUND 1001 (GENERAL FUND) CENTER NUMBER 200101 (NON DEPARTMENTAL) ACCOUNT 5212005 (LITIGATION EXPENSES) AND 1512000 (FUNCTIONAL ACTIVITY) AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

WHEREAS, Plaintiff Susan Cotton filed a lawsuit, *Susan Cotton vs. City of Atlanta*, alleging that the City of Atlanta created a nuisance by failing to maintain adequate storm water drainage systems;

WHEREAS, Plaintiff alleges that due to failure and inadequacies of the City of Atlanta's storm water drainage system, her property sustained damages resulting from storm water runoff;

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

WHEREAS, Plaintiff has agreed to accept \$113,000.00 in full settlement of all claims against the City of Atlanta including interest and attorney's fees;

WHEREAS, the City Attorney considers it to be in the best interest of the City to pay the amount of \$113,000.00 to settle all claims against the City of Atlanta.

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

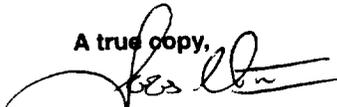
SECTION 1 The City Attorney is hereby authorized to settle and execute all documents in the case of *Susan Cotton vs. City of Atlanta*, Fulton County Superior



Court, Civil Action File No. 2009-CV-165304 in the amount of One Hundred Thirteen Thousand Dollars (\$113,000.00).

SECTION 2 The Chief Financial Officer is authorized to pay the amount of One Hundred Thirteen Thousand Dollars (\$113,000.00) to Susan Cotton. Said payment is to be charged, paid and issued from Fund 1001 (General Fund) Center Number 200101 (Non Departmental) Account 5212005 (Litigation Expenses) and 1512000 (Functional Activity) and made payable to *Martin & Jones, as attorneys for Susan Cotton*, 3353 Peachtree Road, Suite 510, Atlanta, Georgia 30326. 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 Clerk

ADOPTED by the Atlanta City Council
APPROVED by Mayor Kasim Reed

FEB 01, 2010
FEB 09, 2010

RCS# 42
2/01/10
2:07 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

B Smith	Y Archibong	Y Moore	Y Bond
NV 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

		02-01-10
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 10-O-0118	36. 10-R-0182	
2. 10-O-0119	37. 10-R-0183	
3. 10-O-0120	38. 10-R-0184	
4. 10-O-0121	39. 10-R-0185	
5. 10-O-0122	40. 10-R-0186	
6. 10-O-0123	41. 10-R-0187	
7. 10-O-0126	42. 10-R-0188	
8. 10-O-0127	43. 10-R-0189	
9. 10-O-0128	44. 10-R-0190	
10. 10-O-0129	45. 10-R-0191	
11. 10-O-0220	46. 10-R-0192	
12. 10-O-0221	47. 10-R-0193	
13. 10-O-0057	48. 10-R-0194	
14. 10-O-0135	49. 10-R-0195	
15. 10-R-0134	50. 10-R-0196	
16. 10-R-0162	51. 10-R-0197	
17. 10-R-0227	52. 10-R-0198	
19. 10-R-0164	53. 10-R-0199	
20. 10-R-0165	54. 10-R-0200	
21. 10-R-0166	55. 10-R-0201	
22. 10-R-0169	56. 10-R-0202	
23. 10-R-0170	57. 10-R-0203	
24. 10-R-0171	58. 10-R-0204	
25. 10-R-0222	59. 10-R-0205	
26. 10-R-0228		
27. 10-R-0173		
28. 10-R-0174		
29. 10-R-0175		
30. 10-R-0176		
31. 10-R-0177		
32. 10-R-0178		
33. 10-R-0179		
34. 10-R-0180		
35. 10-R-0181		