

10-R-1685

(Do Not Write Above This Line)

A RESOLUTION 10-R-_____

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 LOTTIE BELL-GRIER, ET AL. VS. CITY OF ATLANTA, CIVIL ACTION FILE NO. 2008-EV-003834, FULTON COUNTY STATE COURT, IN THE AMOUNT OF \$825,000.00; 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:

JERRY DELOACH, DEPUTY CITY ATTORNEY

ADOPTED BY

SEP 20 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 _____

Committee PSLA

Date 9/14/10

Chair [Signature]

Action: [Signature]

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
- Readings
- Consent
 - V Vote
 - RC Vote

CERTIFIED

CERTIFIED

SEP 20 2010

ATLANTA CITY COUNCIL PRESIDENT

[Signature]

CERTIFIED

SEP 20 2010

Rhonda Daughlin Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

SEP 29 2010

WITHOUT SIGNATURE BY OPERATION OF LAW



A RESOLUTION

10-R- -1685

**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 LOTTIE BELL-GRIER, ET AL. VS. CITY OF ATLANTA, CIVIL ACTION FILE NO. 2008-EV-003834, FULTON COUNTY STATE COURT, IN THE AMOUNT OF \$825,000.00; 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, Plaintiffs Lottie Bell-Grier, Florence Blankson, Moses Blankson, Ernest Carlisle, Yvonne Carlisle, Loise Cooper, George Deloney, Connie Geter, Dedra Geter, Harold Geter, Gail Jackson, Ruby Naylor, William Naylor, Ivy Allman and Georgia Morgan filed a lawsuit, *Lottie Bell-Grier, et al. vs. City of Atlanta*, alleging that the City of Atlanta created a nuisance by failing to maintain adequate storm water drainage systems;

WHEREAS, Plaintiffs allege that due to failure and inadequacies of the City of Atlanta's storm water drainage system, their properties 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 Plaintiffs' claims is in excess of the settlement amount;

WHEREAS, Plaintiffs have agreed to accept \$825,000.00 in full settlement of all claims against the City of Atlanta including interest and attorney's fees; and

WHEREAS, the City Attorney considers it to be in the best interest of the City of Atlanta to pay the amount of \$825,000.00 to settle all claims against the City of Atlanta.

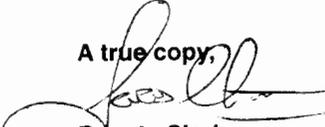
THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA hereby resolves as follows:



SECTION 1 The City Attorney is hereby authorized to settle and execute all documents in the case of *Lottie Bell-Grier, et al. vs. City of Atlanta*, Fulton County State Court, Civil Action File No. 2008-EV-003834 in the amount of Eight Hundred Twenty-Five Thousand Dollars (\$825,000.00).

SECTION 2 The Chief Financial Officer is authorized to pay the amount of Eight Hundred Twenty-Five Thousand Dollars (\$825,000.00) to Lottie Bell-Grier, Florence Blankson, Moses Blankson, Ernest Carlisle, Yvonne Carlisle, Loise Cooper, George Deloney, Connie Geter, Dedra Geter, Harold Geter, Gail Jackson, Ruby Naylor, William Naylor, Ivy Allman and Georgia Morgan. 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 Lottie Bell-Grier, et al.*, 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.

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A true copy,

 Deputy Clerk

ADOPTED by the Atlanta Council
 RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

SEP 20, 2010

SEP 29, 2010

RCS# 554
9/20/10
2:47 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

10-O-1689

ADOPT EXCEPT

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

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

CONSENT I

ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	09-20-10 ITEMS ADVERSED ON CONSENT
1. 10-O-1486 2. 10-O-1553 3. 10-O-1554 4. 10-O-1555 5. 10-O-1557 6. 10-O-1570 7. 10-O-1535 8. 10-O-1536 9. 10-O-1552 10. 10-O-1487 11. 10-O-1488 12. 10-O-1489 13. 10-R-1655 14. 10-R-1661 15. 10-R-1662 16. 10-R-1666 17. 10-R-1685 18. 10-R-1691 19. 10-R-1667 20. 10-R-1668 21. 10-R-1669 22. 10-R-1670 23. 10-R-1671 24. 10-R-1672 25. 10-R-1673 26. 10-R-1674 27. 10-R-1675 28. 10-R-1676 29. 10-R-1677 30. 10-R-1678 31. 10-R-1679 32. 10-R-1680 33. 10-R-1681 34. 10-R-1682 35. 10-R-1683 36. 10-R-1490 37. 10-R-1690	38. 10-R-1587 39. 10-R-1588 40. 10-R-1589 41. 10-R-1590 42. 10-R-1591 43. 10-R-1592 44. 10-R-1593 45. 10-R-1594 46. 10-R-1595 47. 10-R-1596 48. 10-R-1597 49. 10-R-1598 50. 10-R-1599 51. 10-R-1600 52. 10-R-1601 53. 10-R-1602 54. 10-R-1603 55. 10-R-1604 56. 10-R-1605 57. 10-R-1606 58. 10-R-1607 59. 10-R-1608 60. 10-R-1609 61. 10-R-1650 62. 10-R-1651	63. 10-R-1610 64. 10-R-1611 65. 10-R-1612 66. 10-R-1613 67. 10-R-1614 68. 10-R-1615 69. 10-R-1616 70. 10-R-1617 71. 10-R-1618 72. 10-R-1619 73. 10-R-1620 74. 10-R-1621 75. 10-R-1622 76. 10-R-1623 77. 10-R-1624 78. 10-R-1625 79. 10-R-1626 80. 10-R-1627 81. 10-R-1628 82. 10-R-1629 83. 10-R-1630 84. 10-R-1631 85. 10-R-1632 86. 10-R-1633 87. 10-R-1634 88. 10-R-1635 89. 10-R-1636 90. 10-R-1637 91. 10-R-1638 92. 10-R-1639 93. 10-R-1640 94. 10-R-1641 95. 10-R-1642 96. 10-R-1643 97. 10-R-1644 98. 10-R-1645 99. 10-R-1646 100. 10-R-1647 101. 10-R-1648 102. 10-R-1649