

10-R-1896

(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 CLAIRE PECK v. CITY OF ATLANTA, CIVIL ACTION FILE NO. 2010MS116039, PENDING IN FULTON COUNTY MAGISTRATE COURT, IN THE AMOUNT OF \$750,000; AUTHORIZING SAID PAYMENT TO BE CHARGED TO AND PAID FROM FUND 5051 (WATER & SEWER CENTER NUMBER), 170201 (DEPARTMENTAL), 5750002 (ACCOUNT) AND 4310000 (FUNCTIONAL ACTIVITY) AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

APPROVED BY:

JERRY L. DELOACH  
DEPUTY CITY ATTORNEY

ADOPTED BY

NOV 15 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

11/5/10

Chair

*[Signature]*

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

*[Signature]*

*[Signature]*

*[Signature]*

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

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

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

CERTIFIED

NOV 15 2010

ATLANTA CITY COUNCIL PRESIDENT

*[Signature]*

CERTIFIED  
NOV 15 2010

*[Signature]*  
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

NOV 24 2010

WITHOUT SIGNATURE  
BY OPERATION OF LAW



A RESOLUTION

10-

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 CLAIRE PECK v. CITY OF ATLANTA, CIVIL ACTION FILE NO. 2010MS116039, PENDING IN FULTON COUNTY MAGISTRATE COURT, IN THE AMOUNT OF \$750.00; AUTHORIZING SAID PAYMENT TO BE CHARGED TO AND PAID FROM FUND 5051 (WATER & SEWER CENTER NUMBER), 170201 (DEPARTMENTAL), 5750002 (ACCOUNT) AND 4310000 (FUNCTIONAL ACTIVITY) AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

WHEREAS, Claire Peck v. City of Atlanta, is a case involving alleged vehicle property damage on November 16, 2009 when two of her tires blew out, resulting from an ill fitting metal plate in the roadway.

WHEREAS, Plaintiff alleges that her tires were damaged as a result of the City of Atlanta's failure to maintain the road way;

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

WHEREAS, Plaintiff has agreed to accept \$750.00, 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;

WHEREAS, the City Attorney considers it to be in the best interest of the City to pay the amount of \$750.00 to settle all claims against the City of Atlanta; and



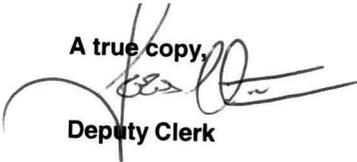
THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA hereby resolves as follows:

SECTION 1. The City Attorney is hereby authorized to settle and execute all documents in the case of Claire Peck v. City of Atlanta in the amount of Seven Hundred Fifty Dollars and no Cents (\$750.00).

SECTION 2. The Chief Financial Officer is authorized to make payment from FUND 5051 (WATER & SEWER CENTER NUMBER), 170201 (DEPARTMENTAL), 5750002 (ACCOUNT) AND 4310000 (FUNCTIONAL ACTIVITY). Payment shall be in the form of a check in the amount of \$750.00 payable to Claire Peck. 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 Council  
RETURNED WITHOUT SIGNATURE OF THE MAYOR  
APPROVED as per City Charter Section 2-403

NOV 15, 2010

NOV 24, 2010

RCS# 685  
11/15/10  
2:20 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

EXCEPT 10-O-1822

ADOPT

YEAS: 10  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 5

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

CONSENT I

<b>ITEMS ADOPTED ON CONSENT</b>	<b>ITEMS ADOPTED ON CONSENT</b>	<b>11-01-10 ITEMS ADVERSED ON CONSENT</b>
1. 10-O-1984 2. 10-O-0930 3. 10-O-1769 4. 10-O-1829 5. 10-O-1860 6. 10-O-1983 7. 10-O-1985 8. 10-O-1820 9. 10-O-1821 10. 10-O-1831 11. 10-O-1832 12. 10-O-1833 13. 10-R-1959 14. 10-R-1960 15. 10-R-1961 16. 10-R-1962 18. 10-R-1963 19. 10-R-1964 20. 10-R-1923 21. 10-R-1867 22. 10-R-1968 23. 10-R-1969 24. 10-R-1917 25. 10-R-1896 26. 10-R-1927 27. 10-R-1929 28. 10-R-1971 29. 10-R-1997 30. 10-R-1930 31. 10-R-1931 32. 10-R-1932 33. 10-R-1933 34. 10-R-1934	35. 10-R-1935 36. 10-R-1936 37. 10-R-1937 38. 10-R-1938 39. 10-R-1939 40. 10-R-1955 41. 10-R-1956 42. 10-R-1957 43. 10-R-1958	44. 10-R-1940 45. 10-R-1941 46. 10-R-1942 47. 10-R-1943 48. 10-R-1944 49. 10-R-1945 50. 10-R-1946 51. 10-R-1947 52. 10-R-1948 53. 10-R-1949 54. 10-R-1950 55. 10-R-1951 56. 10-R-1952 57. 10-R-1953 58. 10-R-1954