

11-*R*-0434

(Do Not Write Above This Line)

A RESOLUTION

11-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 JOHN GILLIAM V. CITY OF ATLANTA, CIVIL ACTION FILE NUMBERS 09-CV2230 AND 10-CV-00518), UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF GEORGIA, IN THE AMOUNT OF \$75,000.00; AUTHORIZING PAYMENT OF THIS AMOUNT TO BE CHARGED TO AND PAID FROM FUND 5051 (WATER & WASTEWATER REVENUE FUND) CENTER NUMBER 170201 (DEPARTMENTAL) 5750002 (ACCOUNT) AND 4310000 (FUNCTIONAL ACTIVITY); AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

Jerry L. DeLoach, Deputy City Attorney

- 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 _____

PLA Committee

3/15/11 Date

[Signature] Chair

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

Members

[Signature]

[Signature]

Refer To

Committee

Date

Chair

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

Members

ADOPTED BY

MAR 21 2011

COUNCIL

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
 - Consent
 - V Vote
 - RC Vote

CERTIFIED

CERTIFIED

MAR 21 2011

ATLANTA CITY COUNCIL PRESIDENT

[Signature]

CERTIFIED

MAR 21 2011

[Signature]

MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

MAR 30 2011

WITHOUT SIGNATURE BY OPERATION OF LAW



A RESOLUTION

11-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 JOHN GILLIAM v. CITY OF ATLANTA, CIVIL ACTION FILE NUMBERS 09-CV2230 AND 10-CV-00518), UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF GEORGIA, IN THE AMOUNT OF \$75,000.00; AUTHORIZING PAYMENT OF THIS AMOUNT TO BE CHARGED TO AND PAID FROM FUND 5051 (WATER & WASTEWATER REVENUE FUND) 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, *John Gilliam vs. City of Atlanta (09-CV-2230, 10-cv-00518)* are two cases in which the Plaintiff, John Gilliam sought damages for lost wages and remedy and redress for alleged violation of the age discrimination and anti-retaliation provision of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e et seq. (“Title VII”); and

WHEREAS, Plaintiff, in a mediation, has agreed to accept \$75,000.00 in full settlement of all claims against the City of Atlanta, including interest and attorney’s fees; and

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 considered it to be in the best interest of the City to pay the amount of \$75,000.00 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 cases of *John Gilliam vs. City of Atlanta* in the amount of Seventy Five Thousand Dollars (\$75,000.00).



SECTION 2. Said payment is to be charged, paid and issued as follows:

The Chief Financial Officer is authorized to make payment from **Fund 5051 (WATER & WASTEWATER REVENUE FUND) CENTER NUMBER 170201 (DEPARTMENTAL) 5750002 (ACCOUNT) AND 4310000 (FUNCTIONAL ACTIVITY)**. Payment shall be in the form of a check in the amount of \$75,000.00 payable to John Gilliam and BETTS AND ASSOCIATES, 44 Broad St., Suite 200, Atlanta, Georgia, 30303. Such payments shall be made 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,

Rhonda Daughin Johnson
Municipal Clerk

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

MAR 21, 2011

MAR 30, 2011

RCS# 928
3/21/11
2:27 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

EXCEPT 11-O-0323, 11-O-0324, 11-O-0325
11-R-0435, 11-R-0444
ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	NV 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# 927
3/21/11
2:25 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

EXCEPT 11-O-0323, 11-O-0324, 11-O-0325

RECONSIDER

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	NV 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# 925
3/21/11
2:23 PM

Atlanta City Council

REGULAR SESSION

CONSENT I EXCEPT 11-O-0323, 11-O-0324, 11-O-0325

ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	NV 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

		03-21-11
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	
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