

11-R-1096

(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 ROBERT HUNTER v. CITY OF ATLANTA, CIVIL ACTION FILE NO. 2010CV180360, IN THE AMOUNT OF \$7,500.00; AUTHORIZING SAID PAYMENT TO BE CHARGED TO AND PAID FROM FUND 5051 (WATER & WASTEWATER REVENUE FUND), 170201 (DEPARTMENTAL), 5750002 (ACCOUNT) 4310000 (FUNCTIONAL ACTIVITY) AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

APPROVED BY:

ERIC RICHARDSON DEPUTY CITY ATTORNEY

ADOPTED BY AUG 15 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, Date Referred, Referred To

First Reading

Committee, Date, Chair, Referred To

PSLA Committee, Date 7/26/11, Chair, Action Fav, Adv, Hold, Other, Members, Refer To

Committee, Date, Chair, Action Fav, Adv, Hold, Other, Members, Refer To

Committee, Date, Chair, Action Fav, Adv, Hold, Other, Members, Refer To

Committee, Date, Chair, Action Fav, Adv, Hold, Other, Members, Refer To

FINAL COUNCIL ACTION

- 2nd, 1st & 2nd, 3rd, Consent, V Vote, RC Vote

CERTIFIED

CERTIFIED AUG 15 2011 ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED AUG 15 2011 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED AUG 24 2011 WITHOUT SIGNATURE BY OPERATION OF LAW



11- R -1096

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 ROBERT HUNTER v. CITY OF ATLANTA, CIVIL ACTION FILE NO. 2010CV180360, IN THE AMOUNT OF \$7,500.00; AUTHORIZING SAID PAYMENT TO BE CHARGED TO AND PAID FROM FUND 5051 (WATER & WASTEWATER REVENUE FUND), 170201 (DEPARTMENTAL), 5750002 (ACCOUNT) 4310000 (FUNCTIONAL ACTIVITY) AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

WHEREAS, *Robert Hunter v. City of Atlanta*, is a case in which the Plaintiff sued for alleged property damages resulting from water leakage caused by the removal of a water meter;

WHEREAS, Plaintiff alleges that he suffered property damages and other injury as a result of the City of Atlanta's failure to properly maintain and cap the property pipeline after removing faulty water meter;

WHEREAS, Plaintiff sought an excess of \$50,000,000 for property damages;

WHEREAS, Plaintiff has agreed to accept \$7,500.00, 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 \$7,500.00 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 **Robert Hunter v. City of Atlanta**, in the amount of Seventy-Five Hundred Dollars and no Cents (\$7,500.00).

SECTION 2. The Chief Financial Officer is authorized to make payment from fund 5051 (Water & Wastewater Revenue Fund), 170201 (Departmental), 5750002 (Account) 4310000 (Functional Activity). Payment shall be in the form of a check in the amount of \$7,500.00 payable to The Gamble Law Group, LLC, One Alliance Center, 3500 Lenox Road, Suite 1500, Atlanta, GA 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,

*Rhonda Daughin Johnson*  
Municipal Clerk

ADOPTED by the Atlanta City Council  
APPROVED as per City Charter Section 2-403

Aug. 15, 2011  
Aug. 24, 2011

RCS# 1345  
8/15/11  
8:02 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

CONSENT AGENDA SECTION I  
EXCEPT 11-R-1121, 11-R-1104, 11-O-1141  
ADOPT

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 1  
ABSENT 1

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

CONSENT I

RCS# 1344  
8/15/11  
8:01 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

CONSENT AGENDA SECTION I  
EXCEPT 11-R-1121, 11-R-1104  
RECONSIDER

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

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

CONSENT I

RCS# 1312  
8/15/11  
4:23 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

CONSENT AGENDA SECTION I  
EXCEPT 11-R-1121, 11-R-1104  
ADOPT

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

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

CONSENT I