

11-R-1142

(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 MATTER OF  
SHAWN VENEGAS AND BRIAN KIDD, CLAIM  
NUMBER 10L1070 IN THE TOTAL GROSS  
AMOUNT OF \$200,000.00, TO BE DISTRIBUTED  
TO PLAINTIFFS; AUTHORIZING PAYMENT  
OF \$200,000.00 TO BE CHARGED TO AND PAID  
FROM FUND 1001 (GENERAL FUND), CENTER  
NUMBER 200101 (NON-DEPARTMENTAL),  
ACCOUNT 5212005 (LITIGATION EXPENSES);  
and FUNCTIONAL ACTIVITY NUMBER 151200  
(ACCOUNTING); AUTHORIZING THE CHIEF  
FINANCIAL OFFICER TO DISTRIBUTE THE  
SETTLEMENT AMOUNT; AND FOR OTHER  
PURPOSES.

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:

First Reading

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Referred To \_\_\_\_\_

PSLA Committee  
 7/26/11 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 \_\_\_\_\_

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  
 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



RESOLUTION

11- R -1142

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 MATTER OF SHAWN VENEGAS AND BRIAN KIDD, CLAIM NUMBER 10L1070 IN THE TOTAL GROSS AMOUNT OF \$200,000.00, TO BE DISTRIBUTED TO PLAINTIFFS; AUTHORIZING PAYMENT OF \$200,000.00 TO BE CHARGED TO AND PAID FROM FUND 1001 (GENERAL FUND), CENTER NUMBER 200101 (NON-DEPARTMENTAL), ACCOUNT 5212005 (LITIGATION EXPENSES), and FUNCTIONAL ACTIVITY NUMBER 151200 (ACCOUNTING); AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.**

**WHEREAS, *Shawn Venegas, and Brian Kidd***, is a claim in which Shawn Venegas and Brian Kidd sought compensation for pain and suffering as a result of their detention and search by officers of the Atlanta Police Department; and

**WHEREAS**, Plaintiffs have agreed to accept the total gross amount of \$200,000.00 in full settlement of all claims against the City of Atlanta, inclusive of interest and attorney's fees, to be distributed to plaintiffs Shawn Venegas in the amount of \$140,000.00, and Brian Kidd in the amount of \$60,000.00; 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 Plaintiffs' 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 \$200,000.00 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 matter of *Shawn Venegas and Brian Kidd* in the total amount of Two-hundred-thousand-dollars and 00 cents (\$200,000.00), to be distributed as \$140,000.00 to Shawn Venegas and \$60,000.00 to Brian Kidd.



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

The Chief Financial Officer is authorized to make payment from **Fund 1001 (General Fund), Center Number 200101 (Non-Departmental), (Account 5212005 (Litigation Expenses) and Functional Activity Number 1512000 (Accounting)). Payment shall be in the form of checks in the amounts of \$140,000.00 and \$60,000.00 payable to Glaser Currie & Bullman, LLP, counsel for the plaintiffs.** 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 Dauphin Johnson*  
Municipal Clerk

ADOPTED by the Atlanta City Council  
APPROVED by Mayor Kasim Reed

Aug. 15, 2011  
Aug. 22, 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