

12-^R-0605

(Do Not Write Above This Line)

A RESOLUTION

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS AGAINST THE CITY OF ATLANTA IN THE CASE OF ADAM REED V CITY OF ATLANTA CIVIL ACTION FILE NO. 2010-CV-181967, FULTON COUNTY SUPERIOR COURT, IN THE TOTAL AMOUNT OF \$164,000.00; 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 AFTER JULY 1, 2012; AND FOR OTHER PURPOSES

APPROVED BY:

Roger Bhandari, Deputy City Attorney

ADOPTED BY

MAY 07 2012

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:

Committee _____
Date _____
Chair _____
Referred to _____

First Reading

PSA
Date 5/1/12
Chair [Signature]

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
- Consent
- V Vote
- ERC Vote

CERTIFIED

CERTIFIED
MAY 07 2012

ATLANTA CITY COUNCIL, PRESIDENT

CERTIFIED
MAY 7 2012

Roger Bhandari
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

MAY 16 2012

WITHOUT SIGNATURE
BY OPERATION OF LAW



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 ADAM REED V. CITY OF ATLANTA, CIVIL ACTION FILE NO. 2010-CV-181967, FULTON COUNTY SUPERIOR COURT, IN THE TOTAL AMOUNT OF \$164,000.00; 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 AFTER JULY 1, 2012; AND FOR OTHER PURPOSES.

WHEREAS, Plaintiff Adam Reed filed a lawsuit, *Adam Reed vs. City of Atlanta*, alleging that the City of Atlanta created a nuisance by failing to maintain an adequate storm water drainage system;

WHEREAS, Plaintiff alleges that due to failure and inadequacies of the City of Atlanta's storm water drainage system, his property sustained damages resulting from storm water drainage and flooding;

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 Plaintiff's claims is in excess of the settlement amount;

WHEREAS, Plaintiff Adam Reed has agreed to accept \$164,000.00 in full settlement of all claims against the City of Atlanta including interest and attorney's fees;

WHEREAS, the City Attorney considers it to be in the best interest of the City to pay Plaintiff the total amount of \$164,000.00 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 *Adam Reed vs. City of Atlanta*, Fulton County Superior Court, Civil Action File No. 2010-CV-181967, in the amount of One Hundred Sixty-Four Thousand Dollars (\$164,000.00).

SECTION 2 The Chief Financial Officer is authorized to pay the amount of One Hundred Sixty-Four Thousand Dollars (\$164,000.00) to Adam Reed after July 1, 2012. 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 Adam Reed*, 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.

A true copy,

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

May 07, 2012
May 16, 2012

Shonda Daughin Johnson

Municipal Clerk

		05-07-12
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 12-O-0392	38. 12-R-0596	66. 12-R-0533
2. 12-O-0495	39. 12-R-0598	67. 12-R-0534
3. 12-O-0500	40. 12-R-0599	68. 12-R-0535
4. 12-O-0410	41. 12-R-0601	69. 12-R-0536
5. 12-O-0411	42. 12-R-0602	70. 12-R-0537
6. 12-O-0487	43. 21-R-0603	71. 12-R-0538
7. 12-O-0490	44. 12-R-0511	72. 12-R-0539
8. 12-O-0499	45. 12-R-0512	73. 12-R-0540
9. 12-O-0408	46. 12-R-0513	74. 12-R-0541
10. 12-O-0409	47. 12-R-0514	75. 12-R-0542
11. 12-O-0412	48. 12-R-0515	76. 12-R-0543
12. 12-O-0482	49. 12-R-0516	77. 12-R-0544
13. 12-O-0502	50. 12-R-0517	78. 12-R-0545
14. 12-R-0572	51. 12-R-0518	79. 12-R-0546
15. 12-R-0573	52. 12-R-0519	80. 12-R-0547
16. 12-R-0574	Items Adversed On	81. 12-R-0548
17. 12-R-0576	Consent	82. 12-R-0549
19. 12-R-0577	53. 12-R-0520	83. 12-R-0550
20. 12-R-0580	54. 12-R-0521	84. 12-R-0551
21. 12-R-0604	55. 12-R-0522	85. 12-R-0552
22. 12-R-0221	56. 12-R-0523	86. 12-R-0553
23. 12-R-0564	57. 12-R-0524	87. 12-R-0554
24. 12-R-0451	58. 12-R-0525	88. 12-R-0555
25. 12-R-0508	59. 12-R-0526	89. 12-R-0556
26. 12-R-0492	60. 12-R-0527	90. 12-R-0557
27. 12-R-0618	61. 12-R-0528	
28. 12-R-0586	62. 12-R-0529	
29. 12-R-0587	63. 12-R-0530	
30. 12-R-0588	64. 12-R-0531	
31. 12-R-0589	65. 12-R-0532	
32. 12-R-0590		
33. 12-R-0605		
34. 12-R-0606		
35. 12-R-0607		
36. 12-R-0593		
37. 12-R-0594		