

12-<sup>R</sup>-1766

(Do Not Write Above This Line)

A RESOLUTION  
12-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  
BERNETTA TRAVIS V. CITY OF ATLANTA,  
CIVIL ACTION FILE NO. 2011-EV-012202,  
FULTON COUNTY STATE COURT, IN THE  
TOTAL AMOUNT OF \$60,000.00;  
AUTHORIZING SAID PAYMENT TO BE  
PAID FROM 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: *ERH*  
Eric Richardson, Deputy City Atty.

- 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 \_\_\_\_\_

RLA Committee

Date 12/11/12

Action

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

Members

*Eric Richardson*  
*Richardson*  
 Refer To

Committee

Date

Chair

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

Members

Refer To

Committee

Date

Chair

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

Members

ADOPTED BY

JAN 07 2013

COUNCIL

Refer To

FINAL COUNCIL ACTION

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

CERTIFIED  
 JAN 07 2013

ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED  
 JAN 07 2013

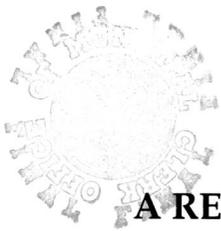
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

JAN 16 2013

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 BERNETTA TRAVIS V. CITY OF ATLANTA, CIVIL ACTION FILE NO. 2011-EV-012202, FULTON COUNTY STATE COURT, IN THE TOTAL AMOUNT OF \$60,000.00; AUTHORIZING SAID PAYMENT TO BE PAID FROM 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**, Plaintiff Bernetta Travis filed a lawsuit, *Bernetta Travis vs. City of Atlanta*, alleging that the City of Atlanta created a nuisance by failing to maintain adequate sanitary sewer systems;

**WHEREAS**, Plaintiff alleges that due to failure and inadequacies of the City of Atlanta's sanitary sewer systems, her property sustained damages resulting from sanitary sewer backups;

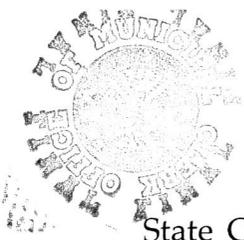
**WHEREAS**, the City Attorney has done extensive review of the facts and the law and has determined that the City of Atlanta's potential financial exposure in defending Plaintiff's claims is in excess of the settlement amount;

**WHEREAS**, Plaintiff Bernetta Travis has agreed to accept \$60,000.00 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 \$60,000.00 to settle all claims against the City of Atlanta.

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

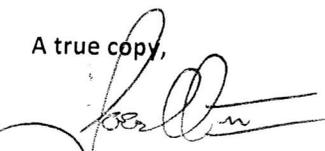
**SECTION 1** The City Attorney is hereby authorized to settle and execute all settlement documents in the case of *Bernetta Travis vs. City of Atlanta*, Fulton County



State Court, Civil Action File No. 2011-EV-012202, in the amount of Sixty Thousand Dollars (\$60,000.00).

**SECTION 2** The Chief Financial Officer is authorized to pay the amount of Sixty Thousand Dollars (\$60,000.00) to Bernetta Travis. Said payment is to be charged, paid and issued from Fund 5051 (Water & Sewer Fund) Center Number 170201 (Departmental) 5750002 (Account) and 4310000 (Functional Activity); and made payable to *Martin & Jones, as attorneys for Bernetta Travis, 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,

  
Deputy Municipal Clerk

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

January 07, 2013  
January 16, 2013



		01-07-13
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT
1. 12-O-1140	35. 12-R-1777	43. 12-R-1785
2. 12-O-1670	36. 12-R-1778	44. 12-R-1786
3. 12-O-1671	37. 12-R-1779	45. 12-R-1787
4. 12-O-1672	38. 12-R-1780	46. 12-R-1788
5. 12-O-1680	39. 12-R-1781	47. 12-R-1789
6. 12-O-1822	40. 12-R-1782	48. 12-R-1790
7. 12-O-1673	41. 12-R-1783	49. 12-R-1791
8. 12-O-1819	42. 12-R-1784	50. 12-R-1792
9. 12-O-1821		51. 12-R-1793
10. 12-O-1639		52. 12-R-1794
11. 12-O-1640		53. 12-R-1795
12. 12-O-1720		54. 12-R-1796
13. 12-O-1431		55. 12-R-1797
14. 12-O-1653		56. 12-R-1798
15. 12-R-1772		57. 12-R-1799
16. 12-R-1773		58. 12-R-1800
17. 12-R-1774		59. 12-R-1801
18. 12-R-1775		60. 12-R-1802
19. 12-R-1769		61. 12-R-1803
20. 12-R-1770		62. 12-R-1804
21. 12-R-1771		63. 12-R-1805
22. 12-R-1823		64. 12-R-1806
23. 12-R-1824		65. 12-R-1807
24. 12-R-1063		66. 12-R-1808
25. 12-R-1161		67. 12-R-1809
26. 12-R-1610		68. 12-R-1810
27. 12-R-1623		69. 12-R-1811
28. 12-R-1760		70. 12-R-1812
29. 12-R-1723		
30. 12-R-1762		
31. 12-R-1765		
32. 12-R-1766		
33. 12-R-1767		
34. 12-R-1768		