



**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 COLLEEN FRANKLIN v. CITY OF ATLANTA, ET AL., CIVIL ACTION FILE NO. 2011EV028418, PENDING IN FULTON COUNTY SUPERIOR COURT, IN THE AMOUNT OF \$50,000.00 (THE "SETTLEMENT AMOUNT"); AUTHORIZING SAID PAYMENT TO BE CHARGED TO AND PAID FROM FUND 5051 (WATER & WASTEWATER REVENUE FUND), 170201 (DWM WASTEWATER TREATMENT), 5750002 (PROPERTY LIQUIDATION) AND 4310000 (SANITARY ADMINISTRATION); AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.**

**WHEREAS, COLLEEN FRANKLIN V. CITY OF ATLANTA, ET AL.**, is a case in which the Plaintiff sought to recover damages from the City of Atlanta resulting from injuries allegedly sustained from stepping into a water meter hole with a broken or missing cover; and

**WHEREAS**, Plaintiff alleges that she suffered serious bodily injury as a result of the City of Atlanta's maintenance of a dangerous and unsafe condition by their failure to properly maintain and replace the water meter cover; and

**WHEREAS**, Plaintiff has agreed to accept the Settlement Amount in full settlement of all claims against the City of Atlanta, which includes attorney's fees and costs of litigation; 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 considers it to be in the best interest of the City to pay the Settlement Amount to settle all claims against the City of Atlanta.

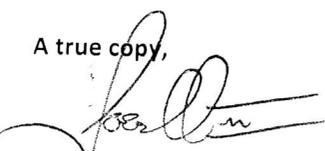


THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA hereby resolves as follows:

SECTION 1. The City Attorney is hereby authorized to settle and execute all documents in the case of **COLLEEN FRANKLIN V. CITY OF ATLANTA, ET AL.**, in the amount of Fifty Thousand Dollars and no Cents (\$50,000.00).

SECTION 2. The Chief Financial Officer is authorized to make payment from **FUND 5051 (WATER & WASTEWATER REVENUE FUND), 170201 (DWM WASTEWATER TREATMENT), 5750002 (PROPERTY LIQUIDATION) and 4310000 (SANITARY ADMINISTRATION)**. Payment shall be in the form of a check in the amount of **\$50,000.00 payable to Corey M. Stern; Woodward & Stern, LLC; 38 Sloan Street; Roswell, Georgia 30075**. 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

RCS# 2485  
1/07/13  
2:16 PM

Atlanta City Council

CONSENT I

CONSENT AGENDA SECTION I - ALL ITEMS  
1/7/2013  
ADOPT

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 3

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

CONSENT I

		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		