

13- R -3325

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2396

A RESOLUTION 13-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 ANTHONY DAVIDSON V. CITY OF ATLANTA, CIVIL ACTION FILE NUMBER 1:11-CV-02880-JED, UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF GEORGIA, ATLANTA DIVISION, IN THE AMOUNT OF \$90,000.00; AUTHORIZING PAYMENT OF \$90,000.00 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.

File

Eric Richardson, Deputy City Attorney

substitute

- 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 _____

PSHA Committee
 Date 7/9/13
 Chair *[Signature]*
 Action *[Signature]*
 Fav, Adv, Hold (See rev.side) _____
 Other On Substitute
 Members *[Signature]*
 Refer To *[Signature]*

Committee _____
 Date _____
 Chair _____
 Action _____
 Fav, Adv, Hold (See rev.side) _____
 Other _____
 Members _____
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Committee _____
 Date _____
 Chair _____
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 Fav, Adv, Hold (See rev.side) _____
 Other _____
 Members _____

ADOPTED BY
JUL 15 2013
COUNCIL
 Refer To _____

Committee _____
 Date _____
 Chair _____
 Action _____
 Fav, Adv, Hold (See rev.side) _____
 Other _____
 Members _____

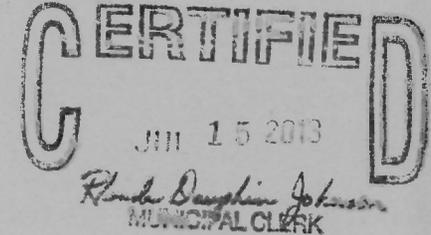
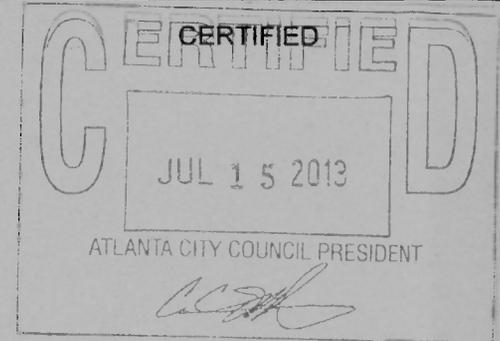
Committee _____
 Date _____
 Chair _____
 Action _____
 Fav, Adv, Hold (See rev.side) _____
 Other _____
 Members _____
 Refer To _____

FINAL COUNCIL ACTION

2ND 1ST & 2ND 3RD

Readings

Consent V Vote RC Vote



MAYOR'S ACTION

APPROVED

JUL 24 2013

WITHOUT SIGNATURE
BY OPERATION OF LAW



A SUBSTITUTE RESOLUTION

13-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 ANTHONY DAVIDSON V. CITY OF ATLANTA, CIVIL ACTION FILE NUMBER 1:11-CV-02880-JEC, UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF GEORGIA, ATLANTA DIVISION, IN THE AMOUNT OF \$90,000.00; AUTHORIZING PAYMENT OF \$90,000.00 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, *Anthony Davidson v. City of Atlanta* is a case in which the Plaintiff, Anthony Davidson, sought remedy and redress for alleged age discrimination in employment with the Atlanta Fire Rescue Department; and

WHEREAS, Plaintiff has agreed to accept \$90,000.00 in full settlement of all claims against the City of Atlanta, inclusive of interest and attorney's fees; 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 considered it to be in the best interest of the City to pay the amount of \$90,000.00 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 necessary settlement documentation in the case of *Anthony Davidson v. City of Atlanta* in the amount of Forty-Five Thousand Dollars and Zero Cents (\$90,000.00).

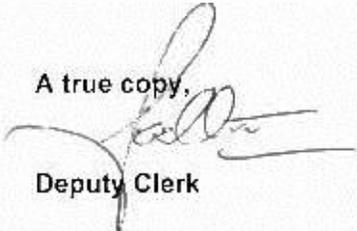


SECTION 2. Said payment is to be charged, paid and issued as follows:

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 made in two separate checks of (1) A check in the amount of \$36,000.00 made payable to Mr. Davidson's attorneys, Parks Chesin & Walbert and (2) A check in the amount of \$54,000.00 made payable to Anthony Davidson.

Such payment shall be in full consideration of the dismissal of all claims against the City of Atlanta and its current and former employees.

A true copy,



Deputy Clerk

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

JUL 15, 2013
JUL 24, 2013

RCS# 2897
7/15/13
3:34 PM

Atlanta City Council

CONSENT AGENDA SECTION I (PAGES 3-20)
EXCEPT 1138;1189;1154
ADOPT

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 2

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

+

ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	07-01-13 ITEMS ADVERSED ON CONSENT
1. 13-O-1127 2. 13-O-1153 3. 13-O-0311 4. 13-O-1122 5. 13-O-1123 6. 13-O-1139 7. 13-O-1183 8. 13-O-1185 9. 13-O-1119 10. 13-O-1120 11. 13-O-1121 12. 13-O-1125 13. 13-O-1155 14. 13-R-3312 15. 13-R-3315 16. 13-R-3325 17. 13-R-3326 18. 13-R-3266 19. 13-R-3322 20. 13-R-3323 21. 13-R-3316 22. 13-R-3317 23. 13-R-3306 24. 13-R-3307 25. 13-R-3308 26. 13-R-3318 27. 13-R-3375 28. 13-R-3313 29. 13-R-3320 30. 13-R-3324 31. 13-R-3327 32. 13-R-3328 33. 13-R-3329 34. 13-R-3330 35. 13-R-3331	36. 13-R-3332 37. 13-R-3333 38. 13-R-3334 39. 13-R-3335 40. 13-R-3336	41. 13-R-3337 42. 13-R-3338 43. 13-R-3339 44. 13-R-3340 45. 13-R-3341 46. 13-R-3342 47. 13-R-3343 48. 13-R-3344 49. 13-R-3345 50. 13-R-3346 51. 13-R-3347 52. 13-R-3348 53. 13-R-3349 54. 13-R-3350 55. 13-R-3351 56. 13-R-3352 57. 13-R-3353 58. 13-R-3354 59. 13-R-3355 60. 13-R-3356 61. 13-R-3357 62. 13-R-3358 63. 13-R-3359 64. 13-R-3360 65. 13-R-3361 66. 13-R-3362 67. 13-R-3363 68. 13-R-3364 69. 13-R-3365 70. 13-R-3366 71. 13-R-3367 72. 13-R-3368 73. 13-R-3369 74. 13-R-3370 75. 13-R-3371 76. 13-R-3372 77. 13-R-3373