

13-*r*-3795

(Do Not Write Above This Line) # 3309

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 JUDY HARPER v. CITY OF ATLANTA, CIVIL ACTION FILE NO. 13EV016609D, PENDING IN FULTON COUNTY STATE COURT, IN THE AMOUNT OF \$15,000.00 (THE "SETTLEMENT AMOUNT"); AUTHORIZING THE SETTLEMENT AMOUNT TO BE CHARGED FROM FUND 5051 (WATER & WASTEWATER REVENUE FUND), 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:

Kim Patrick

Kim Patrick
Interim Deputy City Attorney

- 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 _____

PSLR Committee
 11/26/13 Date
[Signature] Chair
 Action
 (Fav, Adv, Hold (see rev. side)
 Other
 Members
[Signature]
[Signature]
[Signature]
 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 _____
 ADOPTED BY
 DEC 02 2013
 COUNCIL
 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
 DEC 02 2013
 ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
 DEC 02 2013
Ronda Duesler Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

DEC 11 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 JUDY HARPER v. CITY OF ATLANTA, CIVIL ACTION FILE NO. 13EV016609D, PENDING IN FULTON COUNTY STATE COURT, IN THE AMOUNT OF \$15,000.00 (THE "SETTLEMENT AMOUNT"); AUTHORIZING THE SETTLEMENT AMOUNT TO BE CHARGED FROM FUND 5051 (WATER & WASTEWATER REVENUE FUND), CENTER NUMBER 170201 (DEPARTMENTAL); 5750002 (ACCOUNT), AND 4310000 (FUNCTIONAL ACTIVITY); AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

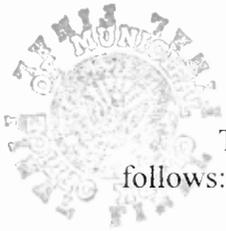
WHEREAS, JUDY HARPER V. CITY OF ATLANTA is a lawsuit in which Plaintiff sought to recover damages from the City of Atlanta resulting from injuries allegedly sustained from stepping into a water meter hole with an ill-fitting cover; and

WHEREAS, Plaintiff alleges that she has 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; 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 claim 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 **JUDY HARPER V. CITY OF ATLANTA** in the amount of Fifteen Thousand Dollars (**\$15,000.00**).

SECTION 2. The Chief Financial Officer is authorized to make payment from **FUND 5051 (WATER & WASTEWATER REVENUE FUND), CENTER NUMBER 170201 (DEPARTMENTAL); 5750002 (ACCOUNT), AND 4310000 (FUNCTIONAL ACTIVITY)**. Payment shall be in the form of a check in the amount of **\$15,000.00** payable to **Judy Harper and her attorneys Blevins and Hong, P.C. 191 Roswell Street, Marietta, GA 30060**. 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 Clerk

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

DEC 02, 2013
DEC 11, 2013

RCS# 3178
12/02/13
3:26 PM

Atlanta City Council

CONSENT I

CONSENT AGENDA SECTION I:EXCEPT
13-O-1333,1334,1264,1395,13-R-3783,3785
ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

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

CONSENT I

+

		12-02-13	
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT	
1. 13-O-1100	41. 13-R-3792	79. 13-R-3806	
2. 13-O-1398	42. 13-R-3850	80. 13-R-3807	
3. 13-O-1386	43. 13-R-3851	81. 13-R-3808	
4. 13-O-1387	44. 13-R-3852	82. 13-R-3809	
5. 13-O-1400	45. 13-R-3853	83. 13-R-3810	
6. 13-O-1401	46. 13-R-3854	84. 13-R-3811	
7. 13-O-1402	47. 13-R-3855	85. 13-R-3812	
8. 13-O-1403	48. 13-R-3856	86. 13-R-3813	
9. 13-O-1404	49. 13-R-3857	87. 13-R-3814	
10. 13-O-1405	50. 13-R-3858	88. 13-R-3815	
11. 13-O-1406	51. 13-R-3859	89. 13-R-3816	
12. 13-O-1407	52. 13-R-3869	90. 13-R-3817	
13. 13-O-1408	53. 13-R-3786	91. 13-R-3818	
14. 13-O-1411	54. 13-R-3846	92. 13-R-3819	
15. 13-O-1412	55. 13-R-3849	93. 13-R-3820	
16. 13-O-1413	56. 13-R-3871	94. 13-R-3821	
17. 13-O-1415	57. 13-R-3872	95. 13-R-3822	
18. 13-O-1389	58. 13-R-3795	96. 13-R-3823	
19. 13-O-1390	59. 13-R-3796	97. 13-R-3824	
20. 13-O-1391	60. 13-R-3873	98. 13-R-3825	
21. 13-O-1392	61. 13-R-3874	99. 13-R-3826	
22. 13-O-1397	62. 13-R-3875	100. 13-R-3827	
23. 13-O-1388	63. 13-R-3876	101. 13-R-3828	
24. 13-O-1356	64. 13-R-3877	102. 13-R-3829	
25. 13-O-1393	65. 13-R-3878	103. 13-R-3830	
26. 13-O-1210	66. 13-R-3782	104. 13-R-3831	
27. 13-O-1262	67. 13-R-3860	105. 13-R-3832	
28. 13-O-1325	68. 13-R-3777	106. 13-R-3833	
29. 13-O-1326	69. 13-R-3779	107. 13-R-3834	
30. 13-R-3794	70. 13-R-3797	108. 13-R-3835	
31. 13-R-3861	71. 13-R-3798	109. 13-R-3836	
32. 13-R-3862	72. 13-R-3799	110. 13-R-3837	
33. 13-R-3863	73. 13-R-3800	111. 13-R-3838	
34. 13-R-3864	74. 13-R-3801	112. 13-R-3839	
35. 13-R-3865	ITEMS ADVERSED ON	113. 13-R-3840	
36. 13-R-3866	CONSENT	114. 13-R-3841	
37. 13-R-3867	75. 13-R-3802	115. 13-R-3842	
38. 13-R-3689	76. 13-R-3803	116. 13-R-3843	
39. 13-R-3778	77. 13-R-3804	117. 13-R-3844	
40. 13-R-3790	78. 13-R-3805	118. 13-R-3845	