

**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.