

14-23180

(Do Not Write Above This Line)

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 SUSAN CLARK V. CITY OF ATLANTA, CIVIL ACTION FILE NO. 2009CV175369, PENDING IN FULTON COUNTY SUPERIOR COURT, IN THE AMOUNT OF \$170,000.00 (THE "SETTLEMENT AMOUNT"); AUTHORIZING THE SETTLEMENT AMOUNT 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.

Approved By:

Patrick Interim Deputy City Attorney

FEB 17 2014

ADOPTED BY COUNCIL

- 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:

Committee

Date

Chair

Refer To

Committee

Public Committee

February 19, 2014

Chair

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

Members

Handwritten signatures and names

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

First Reading

FINAL COUNCIL ACTION

2nd 1st & 2nd 3rd

Readings

Consent V Vote PRC Vote

CERTIFIED FEB 17 2014

ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED FEB 17 2014

MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

FEB 26 2014

WITHOUT SIGNATURE BY OPERATION OF LAW

36605

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 SUSAN CLARK V. CITY OF ATLANTA, CIVIL ACTION FILE NO. 2009CV175369, PENDING IN FULTON COUNTY SUPERIOR COURT, IN THE AMOUNT OF \$170,000.00 (THE "SETTLEMENT AMOUNT"); AUTHORIZING THE SETTLEMENT AMOUNT 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, SUSAN CLARK V. CITY OF ATLANTA, is a lawsuit in which Plaintiff sought to recover damages from the City of Atlanta resulting from alleged negligent actions by the City of Atlanta; and

WHEREAS, Plaintiff alleges the City of Atlanta was negligent in constructing and maintaining the sidewalk and that this alleged negligence caused Plaintiff's bodily injuries; 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:

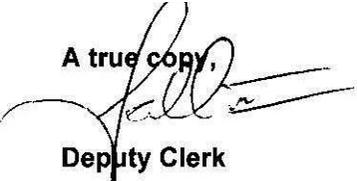
SECTION 1. The City Attorney is hereby authorized to settle and execute all documents in the case of SUSAN CLARK V. CITY OF ATLANTA in the amount of One Hundred and Seventy Thousand Dollars (\$170,000.00).

SECTION 2. 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 151200 (ACCOUNTING).** Payment shall be in the form of a check in the amount of \$170,000.00 payable to Susan Clark and Smith, Welch, Webb & White, 280 Country Club Drive, Suite 300, Stockbridge, GA 30281. 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,

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

FEB 17, 2014
FEB 26, 2014


Deputy Clerk

RCS# 99
2/17/14
2:51 PM

Atlanta City Council

CONSENT I

CONSENT AGENDA SECTION I: ALL ITEMS
EXCEPT 14-O-1072
ADOPT

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

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

CONSENT I

+

		02-17-14
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT	
1. 14-O-1068	34. 14-R-3154	
2. 14-O-1099	35. 14-R-3155	
3. 14-O-1055	36. 14-R-3156	
4. 14-O-1085	37. 14-R-3157	
5. 14-O-1086	38. 14-R-3158	
6. 14-O-1088	39. 14-R-3159	
7. 14-O-1096	40. 14-R-3160	
8. 14-O-1100	41. 14-R-3161	
9. 14-O-1083	42. 14-R-3162	
10. 14-O-1084	43. 14-R-3163	
11. 14-O-1094	44. 14-R-3164	
12. 14-R-3179	45. 14-R-3165	
13. 14-R-3180	46. 14-R-3166	
14. 14-R-3181	47. 14-R-3167	
15. 14-R-3182	48. 14-R-3168	
16. 14-R-3183	49. 14-R-3169	
17. 14-R-3140	50. 14-R-3170	
18. 14-R-3141	51. 14-R-3171	
19. 14-R-3142	52. 14-R-3172	
20. 14-R-3143	53. 14-R-3173	
21. 14-R-3145	54. 14-R-3174	
22. 14-R-3149	55. 14-R-3175	
23. 14-R-3190	56. 14-R-3176	
24. 14-R-3191	57. 14-R-3177	
25. 14-R-3192	58. 14-R-3178	
26. 14-R-3194		
27. 14-R-3195		
28. 14-R-3196		
29. 14-R-3198		
30. 14-R-3150		
31. 14-R-3151		
32. 14-R-3152		
33. 14-R-3153		