3753

(Do Not Write Above This Line) 14-R-3257

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 ALTAMESE ROGERS V. CITY OF ATLANTA, CIVIL ACTION FILE NO. 12EV015351E, PENDING IN FULTON COUNTY STATE COURT, IN THE AMOUNT OF $18,500.00 (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
Interim Deputy City Attorney

ADOPTED BY
MAR 03 2014
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:

First Reading
Committee
Date
Chair
Referred To

Committee	Committee
Public Safety + LA	
Date: February 25 2014	Date
Chair	Chair
Action: Fav, Adv, Hold (See rev.side) Other	Action: Fav, Adv, Hold (See rev.side) Other
Members	Members
Refer To	Refer To

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

FINAL COUNCIL ACTION

☐ 2ND ☐ 1ST & 2ND ☐ 3RD

Readings

☑ Consent ☐ V Vote ☑ RC Vote

CERTIFIED
MAR 03 2014
ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED
MAR 03 2014
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED
MAR 12 2014
WITHOUT SIGNATURE
BY OPERATION OF LAW

CITY COUNCIL
ATLANTA, GEORGIA

14-R-3257

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 ALTAMESE ROGERS V. CITY OF ATLANTA, CIVIL ACTION FILE NO. 12EV015351E, PENDING IN FULTON COUNTY STATE COURT, IN THE AMOUNT OF $18,500.00 (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, ALTAMESE ROGERS 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 a broken or missing cover; and

WHEREAS, Plaintiff alleges that he 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 **ALTAMESE ROGERS V. CITY OF ATLANTA** in the amount of Eighteen Thousand and Five Hundred Dollars ($18,500.00).

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 $18,500.00 payable to Altamese Rogers and Hinton & Powell, 2901 Piedmont Road, N.E., Suite A, Atlanta, Georgia 30305-2790.** 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 **MAR 03, 2014**
APPROVED as per City Charter Section 2-403 **MAR 12, 2014**

RCS# 144
3/03/14
3:25 PM

Atlanta City Council

CONSENT I

CONSENT AGENDA SECTION I: ALL ITEMS
EXCEPT 14-O-1113; 14-R-3202
ADOPT

YEAS:	13
NAYS:	0
ABSTENTIONS:	0
NOT VOTING:	1
EXCUSED:	0
ABSENT	2

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

CONSENT I

+

		03-03-14
ITEMS ADOPTED ON CONSENT	**ITEMS ADVERSED ON CONSENT**	**ITEMS ADVERSED ON CONSENT**
1. 14-O-1103	34. 14-R-3264	65. 14-R-3232
2. 14-O-1104	35. 14-R-3265	66. 14-R-3233
3. 14-O-1105	36. 14-R-3266	67. 14-R-3234
4. 14-O-1045	37. 14-R-3275	68. 14-R-3235
5. 14-O-1081	38. 14-R-3205	69. 14-R-3236
6. 14-O-1082	39. 14-R-3206	70. 14-R-3237
7. 14-O-1087	40. 14-R-3207	71. 14-R-3238
8. 14-O-1115	41. 14-R-3208	72. 14-R-3239
9. 14-O-1116	42. 14-R-3209	73. 14-R-3240
10. 14-O-1108	43. 14-R-3210	74. 14-R-3241
11. 14-O-1107	44. 14-R-3211	75. 14-R-3242
12. 14-O-1112	45. 14-R-3212	76. 14-R-3243
13. 14-R-3257	46. 14-R-3213	77. 14-R-3244
14. 14-R-3258	47. 14-R-3214	78. 14-R-3245
15. 14-R-3105	48. 14-R-3215	79. 14-R-3246
16. 14-R-3185	**ITEMS ADVERSED ON CONSENT**	80. 14-R-3247
17. 14-R-3186	49. 14-R-3216	81. 14-R-3248
18. 14-R-3187	50. 14-R-3217	82. 14-R-3249
19. 14-R-3188	51. 14-R-3218	83. 14-R-3250
20. 14-R-3189	52. 14-R-3219	84. 14-R-3251
21. 14-R-3267	53. 14-R-3220	85. 14-R-3252
22. 14-R-3268	54. 14-R-3221	86. 14-R-3253
23. 14-R-3269	55. 14-R-3222	87. 14-R-3254
24. 14-R-3270	56. 14-R-3223	88. 14-R-3255
25. 14-R-3271	57. 14-R-3224	89. 14-R-3256
26. 14-R-3272	58. 14-R-3225	
27. 14-R-3273	59. 14-R-3226	
28. 14-R-3274	60. 14-R-3227	
29. 14-R-3144	61. 14-R-3228	
30. 14-R-3262	62. 14-R-3229	
31. 14-R-3263	63. 14-R-3230	
32. 14-R-3260	64. 14-R-3231	
33. 14-R-3261		