14-R-3316

(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 CARLENE WOODS V. CITY OF ATLANTA, CIVIL ACTION FILE NO. 2012CV225359, PENDING IN FULTON COUNTY STATE COURT, IN THE AMOUNT OF $30,000.00 (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
Interim Deputy City Attorney

ADOPTED BY
MAR 17 2014
COUNCIL

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☐ PERSONAL PAPER REFER

Date Referred
Referred To:
Date Referred
Refferred To:
Date Referred
Referred To:

First Reading
Committee
Date
Chair
Referred To

Committee: Public Safety & L.A.
Date: March 11, 2014
Chair
Action: Fav, Adv, Hold (see rev. side)
Other
Members
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
Refer To

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

FINAL COUNCIL ACTION
☐ 2nd ☐ 1st & 2nd Readings ☐ 3rd
☑ Consent ☐ V Vote ☑ RC Vote

CERTIFIED
MAR 17 2014
ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED
MAR 17 2014
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED
MAR 26 2014
WITHOUT SIGNATURE
BY OPERATION OF LAW

CITY COUNCIL
ATLANTA, GEORGIA

14-R-3316

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 CARLENE WOODS V. CITY OF ATLANTA, CIVIL ACTION FILE NO. 2012CV225359, PENDING IN FULTON COUNTY STATE COURT, IN THE AMOUNT OF $30,000.00 (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, CARLENE WOODS 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 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 **CARLENE WOODS v. CITY OF ATLANTA** in the amount of Thirty Thousand Dollars **($30,000.00)**.

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 $30,000.00 payable to Carlene Woods and Kiehle Law Group, LLC; 5825 Glenridge Drive; Building 3, Suite 101, Atlanta, GA 30328.** 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 17, 2014**
APPROVED as per City Charter Section 2-403 **MAR 26, 2014**

RCS# 180
3/17/14
4:19 PM

Atlanta City Council

CONSENT I

CONSENT AGENDA SECTION I: EXCEPT
14-0-1114;1135; 1136
ADOPT

YEAS:	11
NAYS:	0
ABSTENTIONS:	0
NOT VOTING:	4
EXCUSED:	0
ABSENT	1

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

CONSENT I

RCS# 181
3/17/14
4:21 PM

Atlanta City Council

CONSENT I

14-0-1114;1135; 1136
ADOPT

YEAS:	9
NAYS:	2
ABSTENTIONS:	0
NOT VOTING:	4
EXCUSED:	0
ABSENT	1

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