

A RESOLUTION BY PUBLIC SAFETY AND LEGAL ADMINISTRATION 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 TO AND PAID 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.

Workflow List:

Kimberly Patrick	Completed	02/14/2014 4:48 PM
Finance	Completed	02/14/2014 4:50 PM
Office of Research and Policy Analysis	Completed	02/17/2014 1:37 PM
Public Safety & Legal Administration Committee	Pending	
Atlanta City Council	Pending	
Mayor's Office	Pending	

Certified by Presiding Officer	Certified by Clerk
Mayor's Action <i>See Authentication Page Attachment</i>	

LEGISLATION HISTORY – BLUE BACK

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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.