

A RESOLUTION BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE AUTHORIZING THE SETTLEMENT OF ALL CLAIMS FILED BY JARIUS MANN AND TYRONE AARON AGAINST THE CITY OF ATLANTA IN THE CASE OF JARIUS MANN ET AL. V. CITY OF ATLANTA, CIVIL ACTION FILE NO. 12EV015282A, PENDING IN FULTON COUNTY STATE COURT, IN THE AMOUNT OF \$13,577.21 (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	05/29/2014 12:21 PM
Finance	Completed	06/02/2014 12:23 PM
Office of Research and Policy Analysis	Completed	06/02/2014 6:25 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

**A RESOLUTION BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE AUTHORIZING THE SETTLEMENT OF ALL CLAIMS FILED BY JARIUS MANN AND TYRONE AARON AGAINST THE CITY OF ATLANTA IN THE CASE OF JARIUS MANN ET AL. V. CITY OF ATLANTA, CIVIL ACTION FILE NO. 12EV015282A, PENDING IN FULTON COUNTY STATE COURT, IN THE AMOUNT OF \$13,577.21 (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.**

WHEREAS, JARIUS MANN ET AL. V. CITY OF ATLANTA, is a lawsuit in which Plaintiffs Jarius Mann and Tyrone Aaron sought to recover damages from the City of Atlanta for breach of contract for lost wages resulting from performing out of class duties for the Department of Watershed Management; and

WHEREAS, Plaintiffs allege that the City has not paid Plaintiffs any backpay for working out of class nor adjusted Plaintiffs’ salaries; and

WHEREAS, Plaintiffs have 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 against Plaintiffs’ 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 JARIUS MANN ET AL. V. CITY OF ATLANTA in the amount of Thirteen Thousand and Five Hundred Seventy Seven Dollars and Twenty One Cents (\$13,577.21).

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 \$13,577.21 payable to Jarius Mann, Tyrone Aaron and National Association of Government Employees, 160 Clairmont Ave., Suite 200, Decatur, Georgia 30030. Such payment shall be in full consideration of the dismissal of all claims made by Plaintiffs Jarius Mann and Tyrone Aaron against the City of Atlanta and its current and former officers and employees.