

A RESOLUTION BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE AUTHORIZING THE SETTLEMENT OF ALL CLAIMS AGAINST THE CITY OF ATLANTA IN THE CASE OF JONI FIELDS-RESNEY V. CITY OF ATLANTA, CIVIL ACTION FILE NO. 2016CV272548, PENDING IN FULTON COUNTY SUPERIOR COURT, IN THE AMOUNT OF \$13,500 (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 1512000 (ACCOUNTING); AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISTRIBUTE THE SETTLEMENT AMOUNT; AND FOR OTHER PURPOSES.

WHEREAS, JONI FIELDS-RESNEY 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 that the City of Atlanta failed to remove the trees in the roadway to ensure safety of the roadway this alleged negligence caused Plaintiff’s personal 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 claims 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 JONI FIELDS-RESNEY V. CITY OF ATLANTA in the amount of Thirteen Thousand Five Hundred Dollars and 00/100 (\$13,500).

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 1512000 (ACCOUNTING). Payment shall be in the form of a check in the amount of \$13,500 payable to “Joni Fields-Resney and Stephen F. Mackie, her attorney”, 6 Concourse Parkway, Suite 2920, 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.

CITY COUNCIL
ATLANTA, GEORGIA

16-R-4668

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Workflow List:

Kimberly Patrick	Completed	11/04/2016 4:21 PM
Finance	Completed	11/07/2016 8:32 AM
Office of Research and Policy Analysis	Completed	11/09/2016 9:56 AM
Public Safety & Legal Administration Committee	Completed	11/15/2016 3:00 PM
Atlanta City Council	Completed	11/21/2016 1:00 PM
Atlanta City Council	Completed	11/21/2016 1:00 PM
Mayor's Office	Pending	

HISTORY:

11/15/16 Public Safety & Legal Administration Committee FAVORABLE

RESULT:	FAVORABLE [UNANIMOUS]	Next: 11/21/2016 1:00 PM
MOVER:	Carla Smith, Councilmember, District 1	
SECONDER:	Michael Julian Bond, Councilmember, Post 1 At-Large	
AYES:	Martin, Bottoms, Smith, Bond, Young Jr., Norwood	
ABSENT:	Cleta Winslow	

11/21/2016 Atlanta City Council ADOPTED

RESULT:	ADOPTED BY CONSENT VOTE [13 TO 0]
MOVER:	Alex Wan, Councilmember, District 6
SECONDER:	Clarence "C. T." Martin, Councilmember, District 10
AYES:	Bond, Norwood, Dickens, Hall, Young Jr., Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd
ABSENT:	Cleta Winslow
AWAY:	Carla Smith

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