

A RESOLUTION BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE AUTHORIZING THE SETTLEMENT OF ALL CLAIMS AGAINST DEFENDANTS IN THE CASE OF RICHARD STRAUT V. CITY OF ATLANTA, CIVIL ACTION FILE NO. 2016CV271312, PENDING IN FULTON COUNTY SUPERIOR COURT, IN THE AMOUNT OF \$2,700 (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, RICHARD STRAUT V. CITY OF ATLANTA is a lawsuit in which Plaintiff sought to recover damages from the City of Atlanta resulting from alleged actions by the City of Atlanta; and

WHEREAS, Plaintiff alleges the City of Atlanta failed to respond to a request under the Georgia Open Records Act during the time period required by law; and

WHEREAS, Plaintiff has agreed to accept the Settlement Amount in full settlement of all claims against the Defendant; and

WHEREAS, the City Attorney has done extensive review of the facts and the law and has determined that Defendant’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 Defendant 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 RICHARD STRAUT V. CITY OF ATLANTA, in the amount of Twenty Seven Hundred Dollars and Zero Cents (\$2,700.00).

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 \$2,700.00 payable to Richard Straut and Parks, Chesin, Walbert, 75 14th Street, 26th Floor, Atlanta, Georgia 30309. Such payment shall be in full consideration of the dismissal of all claims against Defendant and its current and former officers and employees.

**CITY COUNCIL
ATLANTA, GEORGIA**

16-R-3918

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Workflow List:

Laura Burton	Completed	06/17/2016 1:34 PM
Finance	Completed	06/21/2016 10:24 AM
Office of Research and Policy Analysis	Completed	06/22/2016 2:40 PM
Public Safety & Legal Administration Committee	Completed	06/28/2016 3:00 PM
Atlanta City Council	Completed	07/05/2016 1:00 PM
Atlanta City Council	Completed	07/05/2016 1:00 PM
Mayor's Office	Pending	

HISTORY:

06/28/16 Public Safety & Legal Administration Committee FAVORABLE

RESULT:	FAVORABLE [UNANIMOUS]	Next: 7/5/2016 1:00 PM
AYES:	Martin, Bottoms, Smith, Bond, Young Jr., Winslow	
ABSENT:	Mary Norwood	

07/05/2016 Atlanta City Council ADOPTED

RESULT:	ADOPTED BY CONSENT VOTE [13 TO 0]
AYES:	Bond, Norwood, Dickens, Smith, Young Jr., Winslow, Archibong, Wan, Shook, Moore, Martin, Bottoms, Sheperd
ABSENT:	Yolanda Adrean
AWAY:	Kwanza Hall

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