

Entered - 09-14-01 - sb
CL 01L0577 ALEXIS HOLMES

CLAIM OF: MICHAEL LEE MCGEE
P.O. Box 185
Patterson, Georgia 31557

02-R -0140

ADOPTED BY
FEB 04 2002
COUNCIL

For vehicle damages alleged to have been sustained as a result of driving over a large pothole in the roadway on July 21, 2001 at Wells Street and Ralph David Abernathy Boulevard.

BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to MICHAEL LEE MCGEE, the sum of \$2,000.00 in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicle damages alleged to have been sustained as a result of driving over a large pothole in the roadway on July 21, 2001 at Wells Street and Ralph David Abernathy Boulevard as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED:

BY: Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

FAVORABLE REPORT

COMM: _____

DATE: JAN 29 2002

CHAIR: _____

Clara Stewart

Carla Smith

Shirley L. Smith
FEB 13 2002

ATLANTA CITY COUNCIL PRESIDENT
FEB 04 2002
Patterson, Ga. Woodland

FEB 04 2002
Rosalind Rubens Newell
DEPUTY CITY ATTORNEY



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

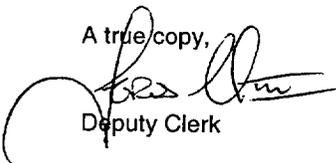
02-R-0140

A RESOLUTION

**BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Michael Lee McGee** in the sum of **\$2,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of **driving over a large pothole in the roadway on July 21, 2001 at Wells Street and Ralph David Abernathy Boulevard** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,



Deputy Clerk

**ADOPTED by the Council
APPROVED by the Mayor**

FEB 04, 2002
FEB 12, 2002

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0577

Date: 01/07/02

Claimant /Victim MICHAEL LEE MCGEE

BY: (Atty)

Address: P.O. Box 185 Patterson, Georgia 31557

Subrogation: Claim for Property damage \$ 8,892.50 Bodily Injury \$

Date of Notice: 8/27/01 Method: Written, proper X Improper

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 7/21/01 Place: Wells Street and Ralph David Albernathy Boulevard

Department Public Works Division: Street Operations

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant sustained vehicle damages after he drove his vehicle over a large hole in the road. The investigation determined that the City was aware of the defect prior to the incident involving the claimant and has taken the proper steps to repair it.

INVESTIGATION:

Statements: City employee X Claimant Other Written X Oral

Pictures Diagrams Reports: Police Dept Report Other

Traffic citations issued: City Driver Claimant Driver

Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental Ministerial X

Improper Notice More than Six Months Other Damages reasonable X

City not involved Offer rejected Compromise settlement X

Repair/replacement by Ins. Co. Repair/replacement by City Forces

Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,

Alexis Holmes
INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

Pay \$ 2,000.00 Adverse Account charged: 1A01 X 2J01 2H01

Claims Manager: Concur/date 01-17-02

Committee Action: Council Action

RCS# 3449
2/04/02
4:05 PM

Atlanta City Council

Regular Session

CONSENT I

Pages 1 thru 6: Except 02-O-0004;
02-R-0005;02-O-0006;02-R-0193;02-R-0105
ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

Y Smith	NV Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

ITEM (S) REMOVED FROM
CONSENT AGENDA
02-R-0105
02-R-0193

CORRECTED COPY

CONSENT I

02/04/02 Council Meeting

**ITEMS ADOPTED ON
CONSENT AGENDA**

1. 02-O-0169
2. 02-R-0088
3. 02-R-0146
4. 02-R-0147
5. 02-R-0179
6. 02-R-0137
7. 02-R-0138
8. 02-R-0139
9. 02-R-0140
10. 02-R-0141
11. 02-R-0142
12. 02-R-0143
13. 02-R-0144
14. 02-R-0145

**ITEMS ADVERSED ON
CONSENT AGENDA**

15. 02-R-0117
 16. 02-R-0118
 17. 02-R-0119
 18. 02-R-0120
 19. 02-R-0121
 20. 02-R-0122
 21. 02-R-0123
 22. 02-R-0124
 23. 02-R-0125
 24. 02-R-0126
 25. 02-R-0127
 26. 02-R-0128
 27. 02-R-0129
 28. 02-R-0130
 29. 02-R-0131
 30. 02-R-0132
 31. 02-R-0133
 32. 02-R-0134
 33. 02-R-0135
 34. 02-R-0136
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