

Entered - 02-27-02 - sb  
CL 02L0179 - ALEXIS HOLMES

02-*R* -0640

CLAIM OF: **NANCY L. MOORE**  
1170 Jill Lane, SW  
Marietta, Georgia 30008

For vehicular damages alleged to have been sustained as a result of driving over a pothole on January 28, 2002 at James Jackson Parkway.

THIS ADVERSE REPORT IS APPROVED

BY:   
ROBERT N. GODFREY  
DEPUTY CITY ATTORNEY

CONSENT AGENDA

ADVERSED BY  
CITY COUNCIL MAY 06

**CERTIFIED**

MAY 06 2002

ATLANTA CITY COUNCIL PRESIDENT  
*Catherine W. Woodard*

**ADVERSE REPORT**

COMM: *Public Safety*

DATE: *4/19/02*

CHAIR: *[Signature]*

*[Signature]* C. T. Martin

*[Signature]*

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**CERTIFIED**

MAY 06 2002

*Flora Dandrea Johnson*  
MUNICIPAL CLERK



**CITY OF ATLANTA  
OFFICE OF MUNICIPAL CLERK**

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6103

May 21, 2002

FORIS WEBB, III  
DEPUTY MUNICIPAL CLERK

Nancy L. Moore  
1170 Jill Lane, SW  
Marietta, GA 30008

**02-R-0640**

Dear Ms. Moore:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on May 6, 2002. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division at (404) 330-6400.**

Sincerely,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

**cc: Claims Division/Law Department**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0179

Date: 03/25/02

Claimant /Victim NANCY L. MOORE

BY: (Atty)

Address: 1170 Jill Lane, SW Atlanta, Georgia 30008

Subrogation: Claim for Property damage \$ 364.99 Bodily Injury \$

Date of Notice: 2/21/01 Method: Written, proper X Improper

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

Date of Occurrence 1/28/01 Place: James Jackson Parkway

Department Division:

Employee involved Disciplinary Action

NATURE OF CLAIM: The claimant alleges that she sustained vehicular damages when she ran over a pothole in the roadway. An investigation determined that the road where the claimant incurred damages is a Georgia State Department of Transportation road, and it is not the responsibility of the City of Atlanta. The claim has been referred to the Georgia State Department of Transportation, and the claimant has been advised to pursue resolution of her damages with the Georgia State Department of Transportation.

INVESTIGATION:

Statements: City employee Claimant X Other X Written X Oral

Pictures Diagrams X Reports: Police Dept Report Other

Traffic citations issued: City Driver Claimant Driver

Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental Ministerial

Improper Notice More than Six Months Other Damages reasonable

City not involved X Offer rejected Compromise settlement

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

Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,

Alexis Holmes
INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

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

Claims Manager: Concur/date 03-26-02

Committee Action: Council Action

RCS# 3723  
5/06/02  
4:03 PM

Atlanta City Council

Regular Session

CONSENT I

Pgs. 1-14: Except 02-R-0507; 02-O-0668  
02-R-0701; 02-O-0594; 02-O-0675; 0584  
ADOPT

YEAS: 14  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 1

**SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA**

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

**ITEM (S) REMOVED FROM  
CONSENT AGENDA  
02-R-0701  
02-O-0584  
02-O-0594  
02-O-0675  
02-O-0668**

CONSENT I

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**05/06/02 Council Meeting**

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**ITEMS ADOPTED ON  
CONSENT AGENDA**

**ITEMS ADOPTED ON  
CONSENT AGENDA**

**ITEMS  
ADVERSE  
ON CONSENT  
AGENDA**

1. 02-O-0666
2. 02-O-0678
3. 02-O-0681
4. 02-O-0684
5. 02-O-0487
6. 02-O-0491
7. 02-O-0686
8. 02-O-0687
9. 02-O-0688
10. 02-O-0086
11. 02-O-0672
12. 02-O-0689
13. 02-O-0563
14. 02-O-0673
15. 02-O-0674
16. 02-R-0512
17. 02-R-0680
18. 02-R-0598
19. 02-R-0697
20. 02-R-0600
21. 02-R-0658
22. 02-R-0702
23. 02-R-0480
24. 02-R-0507
25. 02-R-0501
26. 02-R-0604
27. 02-R-0704
28. 02-R-0607
29. 02-R-0608
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  79. 02-R-0657
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