



**A RESOLUTION  
BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

**03-R-1869**

**A RESOLUTION AUTHORIZING THE SETTLEMENT OF ALL CLAIMS IN THE LAWSUIT STYLED TAMMY CLARK V. CITY OF ATLANTA; SUPERIOR COURT OF FULTON COUNTY, GEORGIA; CIVIL ACTION FILE NO. 2002CV57974, IN THE AMOUNT OF \$10,000; AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DISBURSE THE SETTLEMENT AMOUNT FROM FUND ACCOUNT CENTER NO. 1A01 529017 T31001; AND FOR OTHER PURPOSES.**

**WHEREAS**, the lawsuit (“Lawsuit”) styled “Tammy Clark v. City of Atlanta; Superior Court of Fulton County, Georgia; Civil Action File No. 2003cv64010” arises out of a certain indentation of a footprint in the concrete sidewalk located at 99 Butler Street, directly across from the entrance to Grady Hospital; and

**WHEREAS**, Plaintiff alleged in the Lawsuit that the City was negligent for maintaining a hazardous condition in the form of a defective sidewalk, upon which the Plaintiff tripped and fell, causing Plaintiff to be injured; and

**WHEREAS**, the City Attorney’s office has thoroughly investigated the facts and circumstances involved in this matter and has determined that it is desirable and in the best interests of the City to settle this lawsuit for \$10,000 and the Plaintiff’s attorney has agreed to accept such a settlement;

**NOW THEREFORE, IT IS RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:**

**SECTION 1.** The City Attorney is authorized to settle the case of Tammy Clark v. City Of Atlanta; Superior Court Of Fulton County, Georgia; Civil Action File No. 2003cv64010, for the sum of Ten Thousand Dollars (\$10,000).

**SECTION 2.** The Chief Financial Officer is authorized to pay the total sum of \$10,000 to the Plaintiff Tammy Clark and her attorney, from Account No. 1A01 529017 T31001, in exchange for the Plaintiff’s execution and delivery to the City of a Final Payment and General Release and a filed Notice of Voluntary Dismissal With Prejudice.

A true copy,  
*Phonda Daughin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

NOV 03, 2003  
NOV 10, 2003



RCS# 5123  
11/03/03  
1:41 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I 03-R-1860

ADOPT

YEAS: 10  
NAYS: 0  
ABSTENTIONS: 1  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 3

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

CONSENT I

RCS# 5124  
11/03/03  
1:42 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I 03-R-1676

ADOPT

YEAS: 9  
NAYS: 0  
ABSTENTIONS: 1  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 3

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

CONSENT I

ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 03-O-1721 2. 03-O-1723 3. 03-O-1835 4. 03-O-1848 5. 03-O-1678 6. 03-O-1679 7. 03-O-1680 8. 03-O-1681 9. 03-O-1682 10. 03-O-1683 11. 03-O-1684 12. 03-O-1494 13. 03-O-1651 14. 03-O-1652 15. 03-O-1689 16. 03-O-1700 17. 03-O-1701 18. 03-O-1829 19. 03-O-1695 20. 03-O-1375 21. 03-O-1511 22. 03-O-1666 23. 03-O-1667 24. 03-O-1838 25. 03-R-1504 26. 03-R-1658 27. 03-R-1808 28. 03-R-1860 29. 03-R-1861 30. 03-R-1815 31. 03-R-1816 32. 03-R-1817 33. 03-R-1676 34. 03-R-1800 35. 03-R-1804 36. 03-R-1866 37. 03-R-1668 38. 03-R-1810 39. 03-R-1811 40. 03-R-1863	41. 03-R-1869 42. 03-R-1870 43. 03-R-1873 <b>Items Adversed on Consent</b> 44. 03-R-1729 45. 03-R-1730 46. 03-R-1731 47. 03-R-1732 48. 03-R-1733 49. 03-R-1734 50. 03-R-1735 51. 03-R-1736 52. 03-R-1737 53. 03-R-1738 54. 03-R-1739 55. 03-R-1740 56. 03-R-1741 57. 03-R-1742 58. 03-R-1743 59. 03-R-1744 60. 03-R-1745 61. 03-R-1746 62. 03-R-1747 63. 03-R-1748 64. 03-R-1749 65. 03-R-1750 66. 03-R-1751 67. 03-R-1752 68. 03-R-1753 69. 03-R-1754 70. 03-R-1755 71. 03-R-1756 72. 03-R-1757 73. 03-R-1758 74. 03-R-1759 75. 03-R-1760 76. 03-R-1761 77. 03-R-1762 78. 03-R-1763 79. 03-R-1764	80. 03-R-1765 81. 03-R-1766 82. 03-R-1767 83. 03-R-1768 84. 03-R-1769 85. 03-R-1770 86. 03-R-1771 87. 03-R-1772 88. 03-R-1773 89. 03-R-1774 90. 03-R-1775 91. 03-R-1776 92. 03-R-1777 93. 03-R-1778 94. 03-R-1779 95. 03-R-1780 96. 03-R-1781 97. 03-R-1782 98. 03-R-1783 99. 03-R-1784 100. 03-R-1785 101. 03-R-1786 102. 03-R-1787 103. 03-R-1788 104. 03-R-1789 105. 03-R-1790 106. 03-R-1791 107. 03-R-1792 108. 03-R-1793 109. 03-R-1794 110. 03-R-1795 111. 03-R-1796 112. 03-R-1797 113. 03-R-1798 114. 03-R-1799 115. 03-R-1840 116. 03-R-1003

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A RESOLUTION  
BY THE PUBLIC SAFETY AND LEGAL  
ADMINISTRATION COMMITTEE

A RESOLUTION AUTHORIZING THE  
SETTLEMENT OF ALL CLAIMS IN THE  
LAWSUIT STYLED TAMMY CLARK V.  
CITY OF ATLANTA; SUPERIOR COURT  
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ACTION FILE NO. 2002CV57974, IN THE  
AMOUNT OF \$10,000; AUTHORIZING  
THE CHIEF FINANCIAL OFFICER TO  
DISBURSE THE SETTLEMENT AMOUNT  
FROM FUND ACCOUNT CENTER NO.  
1A01 529017 T31001; AND FOR OTHER  
PURPOSES.

Approved by:

**ADOPTED BY**  
NOV 03 2003

Jerry L. DeLoach  
Deputy City Attorney

**COUNCIL**

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred To \_\_\_\_\_

**PLA** Committee

Date **10/23/03**

*[Signature]*  
Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

*[Signature]*  
Refer To

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Fav, Adv, Hold (see rev. side)

Other

Members

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Refer To

- FINAL COUNCIL ACTION
- 2nd
  - 1st & 2nd
  - 3rd
  - Consent
  - V Vote
  - RC Vote

CERTIFIED

**CERTIFIED**  
NOV 03 2003

ATLANTA CITY COUNCIL PRESIDENT  
*[Signature]*

**CERTIFIED**  
NOV 03 2003

*[Signature]*  
MUNICIPAL CLERK

MAYOR'S ACTION

**APPROVED**

NOV 10 2003

MAYOR