

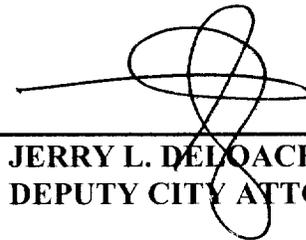
Entered 10-1-04 sb
CL 04L0662 GWENDOLYN BURNS

CLAIM OF: LISA YVETTE JONES
1632 Langston Avenue, SW
Atlanta, Georgia 30310

For vehicular damages alleged to have been sustained from driving over a pothole on July 22, 2004 at 2851 Lakewood Avenue, NE.

THIS ADVERSED REPORT IS APPROVED

BY:



JERRY L. DELOACH
DEPUTY CITY ATTORNEY

ADVERSE REPORT

PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

DATE: 6/14/05

CHAIR: Clara Taylor

C.T. Martin

Joyce Shepherd

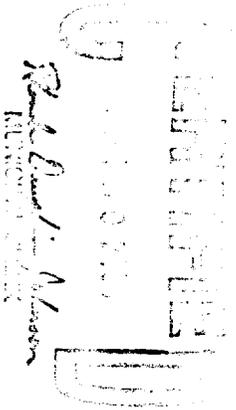
Harold Smith

Carla Smith

Mary Norwood

ADVERSED BY
CITY COUNCIL

JUN 20 2005





OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

June 22, 2005

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

Lisa Yvette Jones
1632 Langston Ave., SW
Atlanta, GA 30310

05-R-1026

Dear Ms. Jones:

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 June 20, 2005. 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. 04L0662

Date: June 1, 2005

Claimant /Victim LISA YVETTE JONES
BY: (Atty) (Ins. Co.)
Address: 1632 Langston Avenue, SW, Atlanta, Georgia 30310
Subrogation: Claim for Property damage \$ 298.53 Bodily Injury \$
Date of Notice: 10/1/04 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 7/22/04 Place: 2851 Lakewood Avenue, SW
Department PUBLIC WORKS Division: Street Operations
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant alleges that he sustained vehicular damage when he drove over a pothole in the road. However, a check of city records show that the city was not on notice of a street defect at the incident location prior to the date of claimant incident.

INVESTIGATION:

Statements: City employee X Claimant Others Written Oral X
Pictures X Diagrams Reports: Police Dept Report X Other X
Traffic citations issued: City Driver Claimant Driver
Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
Improper Notice More than Six Months Other X Damages reasonable
City not involved Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,

Gwendolyn Burns
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ Adverse X Account charged 1A01 2J01 2P01 2H01
Claims Manager: Concur/date 06/01/2005
Committee Action: Council Action

RCS# 6751
6/20/05
3:36 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PG(S) 4-21 05-R-1086 05-R-1084
05-O-0972 05-R-1093 05-O-0906 05-R-0905
ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 2

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

CONSENT I

6/20/05

ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 05-O-1075 2. 05-O-1076 3. 05-O-1078 4. 05-O-1101 5. 05-O-1102 6. 05-O-1103 7. 05-O-1089 8. 05-O-1099 9. 05-O-0904 10. 05-O-0910 11. 05-O-0911 12. 05-O-0912 13. 05-O-0916 14. 05-O-0968 15. 05-O-0976 16. 05-O-1080 17. 05-O-0981 18. 05-O-0982 19. 05-O-1085 20. 05-O-1104 21. 05-O-1105 22. 05-O-1106 23. 05-O-0960 24. 05-O-0961 25. 05-R-1060 26. 05-R-1061 27. 05-R-1077 28. 05-R-1098 29. 05-R-1067 30. 05-R-1068	31. 05-R-1069 32. 05-R-1072 33. 05-R-0903 34. 05-R-1062 35. 05-R-1063 36. 05-R-1064 37. 05-R-1054 38. 05-R-1055 39. 05-R-1056 40. 05-R-1057 41. 05-R-1073 42. 05-R-1074 43. 05-R-1108 44. 05-R-1116 45. 05-R-1117 46. 05-R-0819 47. 05-R-1043 48. 05-R-1044 49. 05-R-1047 50. 05-R-1049 51. 05-R-1019 52. 05-R-1020 53. 05-R-1021 54. 05-R-1022	55. 05-R-1023 56. 05-R-1024 57. 05-R-1025 58. 05-R-1026 59. 05-R-1027 60. 05-R-1028 61. 05-R-1029 62. 05-R-1030 63. 05-R-1031 64. 05-R-1032 65. 05-R-1033 66. 05-R-1034 67. 05-R-1035 68. 05-R-1036 69. 05-R-1037 70. 05-R-1038 71. 05-R-1039 72. 05-R-1040 73. 05-R-1041 74. 05-R-1042