

CLAIM OF: DANIEL STERNER  
3044 Langley Close  
Kennesaw, Georgia 30144

For damages alleged to have been sustained as a result of a vehicular accident on June 26, 2000 at 1675 Monroe Drive NE.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE:

*Public Safety*  
*8/15/2000*  
*C. T. ...*  
*...*  
*...*

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 DANIEL STERNER the sum of \$1,000.00 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 a vehicular accident on June 26, 2000 at 1676 Monroe Drive NE as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD  
CITY ATTORNEY CONSENT AGENDA

BY: *Rosalind Rubens Newell*  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

ADOPTED BY

SEP 0 5 2000

COUNCIL

CERTIFIED  
SEP 5 2000

CERTIFIED  
SEP 0 5 2000

*Rosalind Rubens Newell*  
MUNICIPAL CLERK

APPROVED  
SEP 1 4 2000  
WITHOUT SIGNATURE  
BY OPERATION OF LAW



MUNICIPAL CLERK  
ATLANTA, GEORGIA

00-R-1238

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 **Daniel Sterner** in the sum of **\$1000.00** 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 a **vehicular accident on June 26, 2000 at 1676 Monroe Drive** 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,

*Rhonda Daughkin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
RETURNED WITHOUT SIGNATURE OF THE MAYOR  
APPROVED as per City Charter Section 2-403

SEP 05, 2000

SEP 14, 2000

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0431

Date: August 3, 2000

Claimant /Victim DANIEL STERNER
BY: (Atty) (Ins. Co.)
Address: 3044 Langley Close, Kennesaw, Georgia 30144
Subrogation: Claim for Property damage \$ 1,153.05 Bodily Injury \$
Date of Notice: 7/12/00 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 6/26/00 Place: Monroe Drive (near Piedmont Road)
Department PUBLIC WORKS Division Solid Waste Services
Employee involved Leon Manigault Disciplinary Action: Administrative leave pending dismissal

NATURE OF CLAIM: Claimant's vehicle sustained damage when it was struck by a city vehicle that was "failed to yield to oncoming traffic". The city employee was cited for same.

INVESTIGATION:

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

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
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,

Gwendolyn Burns
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 1,000.00 Adverse Account charged: 1A01 X 2J01 2H01
Claims Manager: Concur/date 08-04-00
Committee Action: Council Action

COUNCIL OF THE CITY OF ATLANTA  
MUNICIPAL CLERK  
City Hall  
55 Trinity Avenue, S.W.  
Atlanta, Georgia 30335

BURNS  
07/12/00  
RE: CLAIM FOR DAMAGES

Today's Date: 7/11/2000

Dear Municipal Clerk:

ENTERED - 7-14-00 - SB  
00L0431 - GWEN BURNS

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 1,153.05 + rental car property and/or \$ \_\_\_\_\_ bodily injury for which I contend the City is liable.

1. Date of incident: 6/26/2000 2. Time of Incident: 12:30 pm 3. Police called:  Yes  No  
(month/day/ year)

4. Location of incident (including street address): Monroe Drive near Piedmont Rd at Publix Shopping Center

5. Name of your insurance company: Genw Policy No. 371-37-50

6. State what and how incident occurred: See Atlanta Police report no. 001780423  
A city sanitation truck making a left onto monroe drive hit my car while making his turn, violating my right of way

7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: Toyota 1994 481JFM Daniel Sterner  
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: See Atlanta Police Report 001780423 Sanitation  
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: Mike Lamberth 2110 Berryhill Circle SE Smyrna 30082 (404) 724-3775  
(Name) (Address) (Telephone Number)

10. The acknowledgment of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

[Signature]  
Signature of Claimant

Daniel Sterner  
(Print Claimant's Name)

3044 Langley Close  
(Address)

Kennesaw GA 30144  
(City, State and Zip Code)

(404) 588-8070 (770) 745-8996  
(Work Number) (Home Number)

GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 00L0431

\$ 1,000.00

IN CONSIDERATION of the sum of ONE THOUSAND AND NO/100  
                     DOLLARS, to be paid to me by the CITY OF ATLANTA, the future receipt of which is hereby  
acknowledged, I do hereby, for myself, my heirs, executors, administrators, and assigns, release and forever  
discharge said City, its officers and employees, including but not limited to Steven Edward Cox, from  
any and all claims, demands, actions, causes of action, suits, damages, loss and expenses, of whatsoever kind or  
nature for or on account of anything that has heretofore occurred, and particularly for or on account of a vehicular  
accident which occurred on or about the 26th day of June, 2000,  
at or near 1676 Monroe Drive NE.

It is further understood and agreed that the payment of the above named sum is not to be considered as an  
admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the  
undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents,  
servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers,  
agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

And I now state that the only consideration for my signing this release and indemnification is the payment  
of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by  
said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this  
instrument.

WITNESS my hand and seal this 3<sup>rd</sup> day of August, 2000.

 (LS)  
**DANIEL STERNER**

\_\_\_\_\_ (LS)

The above release was read and explained to, and signed by the said Daniel Sterner

\_\_\_\_\_ in our presence on the date above written.

  
  
WITNESSES

RCS# 2194  
9/05/00  
2:17 PM

Atlanta City Council

Regular Session

CONSENT

Pages: 1-12

Adopt

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 0

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

Y McCarty  
Y Starnes  
NV Bond  
Y Winslow

Y Dorsey  
NV Woolard  
Y Morris  
Y Muller

Y Moore  
Y Martin  
Y Maddox  
Y Boazman

Y Thomas  
Y Emmons  
Y Alexander  
NV Pitts

ITEM (S) REMOVED FROM  
CONSENT AGENDA  
00-O-1007  
00-R-1309

CONSENT

<b>09/05/00 Council Meeting</b>	
<b>ITEMS ADOPTED ON CONSENT AGENDA</b>	<b>ITEMS ADVERSED ON CONSENT AGENDA</b>
1. 00-O-1102	40. 00-R-1235
2. 00-O-1143	41. 00-R-1245
3. 00-O-1207	42. 00-R-1246
4. 00-O-1295	43. 00-R-1247
5. 00-O-1303	44. 00-R-1248
6. 00-O-1313	45. 00-R-1249
7. 00-O-1124	46. 00-R-1250
8. 00-O-1125	47. 00-R-1251
9. 00-O-1126	48. 00-R-1252
10. 00-O-1127	49. 00-R-1253
11. 00-O-1128	50. 00-R-1254
12. 00-O-1133	51. 00-R-1255
13. 00-O-1196	52. 00-R-1256
14. 00-O-1298	53. 00-R-1257
15. 00-O-1122	54. 00-R-1258
16. 00-O-1300	55. 00-R-1259
17. 00-R-1198	56. 00-R-1260
18. 00-R-1230	57. 00-R-1261
19. 00-R-1290	58. 00-R-1262
20. 00-R-1312	59. 00-R-1263
21. 00-R-1316	60. 00-R-1264
22. 00-R-1265	
23. 00-R-1266	
24. 00-R-1267	
25. 00-R-1268	
26. 00-R-1270	
27. 00-R-1314	
28. 00-R-1229	
29. 00-R-1233	
30. 00-R-0886	
31. 00-R-1236	
32. 00-R-1237	
33. 00-R-1238	
34. 00-R-1239	
35. 00-R-1240	
36. 00-R-0241	
37. 00-R-1242	
38. 00-R-1243	
39. 00-R-1244	