

00-R-1402

Entered - 08/09/00 - sb  
CL 0010477 - DIANNE C. MITCHELL

CLAIM OF: **Gonzalo Tellez**  
1142 Jenny Lyn Drive  
Norcross, Georgia 30093

For damages alleged to have been sustained as a result of vehicular incident on April 6, 2000 at 3<sup>rd</sup> and Piedmont.

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 **Gonzalo Tellez** 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 vehicular incident on April 6, 2000 at 3<sup>rd</sup> and Piedmont as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: **SUSAN PEASE LANGFORD**  
CITY ATTORNEY

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

FAVORABLE REPORT

COM: *Public Safety*

D: *9/14/00*

C: *City Manager*

*Michael [Signature]*

*Sam [Signature]*

*[Signature]*  
*[Signature]*

CERTIFIED  
SEP 18 2000

*[Signature]*

APPROVED

SEP 27 2000

WITHOUT SIGNATURE  
BY OPERATION OF LAW

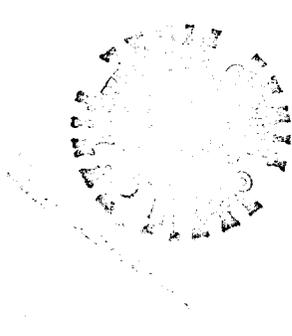
ADOPTED BY

SEP 18 2000

COUNCIL

CERTIFIED  
SEP 18 2000

*Rosalind Rubens Newell*  
MUNICIPAL CLERK



**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

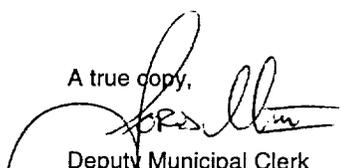
**00-R-1402**

**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 **Gonzalo Tellez** 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 incident on April 6, 2000 at 3<sup>rd</sup> and Piedmont** 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 Municipal Clerk

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

September 18, 2000

September 27, 2000

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0477

Date: August 30, 2000

Claimant /Victim GONZALO TELLEZ
BY: (Atty) (Ins. Co.)
Address: 1142 Jenny Lynn Drive, Norcross, Georgia 30093
Subrogation: Claim for Property damage \$ 1,364.58 Bodily Injury \$
Date of Notice: 8/8/00 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 4/6/00 Place: Piedmont Road Avenue & 3rd Avenue
Department PUBLIC WORKS Division Sewer Operations
Employee involved Shawn Frazier Disciplinary Action: Written Reprimand & Defensive Driving Class

NATURE OF CLAIM: Claimant's vehicle sustained when it was struck by a City vehicle that was attempting to make a U-turn in the parking lot.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police X Dept Report Other
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 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,

[Handwritten signature of Gwendolyn Burns]
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

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

CASE # 0009-1383 BURNS  
08/08/00  
RE: CLAIM FOR DAMAGES

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

Today's Date: 7-09-00

ENTERED - 8-9-00 - SB  
00L0477 - GWEN BURNS

28

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 1,364.58 property and/or \$ \_\_\_\_\_ bodily injury for which I contend the City is liable.

1. Date of incident: 04-06-00 (month/day/year) 2. Time of Incident: 3:00 P.M. 3. Police called:  Yes  No

4. Location of incident (including street address): Piedmont and 3rd

5. Name of your insurance company: Allstate Policy No. 6-15-804522

6. State what and how incident occurred: City vehicle tried to make a U turn inside parking lot and hit ladders. The ladders got bent and pulled and scraped the ladder rack off van and damage top of van.

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: Chevrolet 1988 CG1105 Gonzalo Tellez  
(Make) (Year) (Tag Number) (Driver's Name)  
City vehicle: Atlanta City Vehicle  
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: \_\_\_\_\_  
(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.

Gonzalo Tellez  
Signature of Claimant

Gonzalo Tellez  
(Print Claimant's Name)  
1142 Jenny Lyn Dr  
(Address)  
Norcross GA 30093  
(City, State and Zip Code)  
404 925 7415 770-638 9455  
(Work Number) (Home Number)

GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 00L0477

\$ 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 Shawn Frazier, 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  Vehicular incident

which occurred on or about the 6th day of April, 2000

at or near 3rd and Piedmont

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 17th day of August, 2000

[Signature] (LS)  
GONZALO TELLEZ

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

The above release was read and explained to, and signed by the said Gonzalo Tellez

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

Juan Medrano  
Roberto Medrano

WITNESSES

RCS# 2218  
9/18/00  
2:15 PM

Atlanta City Council

Regular Session

CONSENT

PAGES: 1-19

ADOPT

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

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

Y McCarty  
Y Starnes  
Y Bond  
Y Winslow

Y Dorsey  
NV Woolard  
Y Morris  
Y Muller

Y Moore  
B Martin  
Y Maddox  
Y Boazman

Y Thomas  
Y Emmons  
Y Alexander  
NV Pitts

ITEM (S) REMOVED FROM  
CONSENT AGENDA  
00-R-1321  
00-R-1322  
00-R-1388  
00-O-1435

**CORRECTED COPY**

CONSENT

		09/18/00 Council Meeting
ITEMS ADOPTED ON CONSENT AGENDA		ITEMS ADVERSED ON CONSENT AGENDA
1. 00-O-1234	41. 00-R-1352	51. 00-R-1357
2. 00-O-1007	42. 00-R-1353	52. 00-R-1358
3. 00-O-1015	43. 00-R-1397	53. 00-R-1359
4. 00-O-1427	44. 00-R-1398	54. 00-R-1360
5. 00-O-1429	45. 00-R-1399	55. 00-R-1362
6. 00-O-1432	46. 00-R-1400	56. 00-R-1363
7. 00-R-1387	47. 00-R-1401	57. 00-R-1364
8. 00-R-1392	48. 00-R-1402	58. 00-R-1365
9. 00-R-1395	49. 00-R-1403	59. 00-R-1366
10. 00-R-1452	50. 00-R-1404	60. 00-R-1367
11. 00-R-1340		61. 00-R-1368
12. 00-R-1323		62. 00-R-1369
13. 00-R-1433		63. 00-R-1370
14. 00-R-0560		64. 00-R-1371
15. 00-R-0561		65. 00-R-1372
16. 00-R-1454		66. 00-R-1373
17. 00-R-1299		67. 00-R-1374
18. 00-R-1308		68. 00-R-1375
19. 00-R-1334		69. 00-R-1376
20. 00-R-1335		70. 00-R-1377
21. 00-R-1338		71. 00-R-1378
22. 00-R-1394		72. 00-R-1379
23. 00-R-1331		73. 00-R-1380
24. 00-R-1330		74. 00-R-1381
25. 00-R-1332		75. 00-R-1382
26. 00-R-1333		76. 00-R-1383
27. 00-R-1337		77. 00-R-1384
28. 00-R-1339		78. 00-R-1385
29. 00-R-1419		79. 00-R-1386
30. 00-R-1426		80. 00-R-1405
31. 00-R-1342		81. 00-R-1406
32. 00-R-1343		82. 00-R-1407
33. 00-R-1344		83. 00-R-1408
34. 00-R-1345		84. 00-R-1409
35. 00-R-1346		85. 00-R-1410
36. 00-R-1347		86. 00-R-1411
37. 00-R-1348		87. 00-R-1412
38. 00-R-1349		88. 00-R-1413
39. 00-R-1350		
40. 00-R-1351		