

Entered - 09/06/00 - sb
CL00L0532 - DIANNE C. MITCHELL

CLAIM OF: NATIONAL CAR RENTAL
P. O. Box 39805
Minneapolis, Minnesota 55439

00-*R*-1520

For damages alleged to have been sustained as a result of a vehicular accident on July 4, 1999 at Piedmont Avenue and 12th Street.

THIS ADVERSED REPORT IS APPROVED

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

Public Safety
9/26/00
Clara Henderson
Michael [unclear]
Alyson [unclear]

CERTIFIED
OCT 2 2000
Dem M. Starnes
COUNCIL PRESIDENT PROTEM

CERTIFIED
OCT 02 2000
Rhonda Daughlin Johnson
MUNICIPAL CLERK

CONSENT AGENDA

ADVERSED BY
CITY COUNCIL OCT 02 2000



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

October 9, 2000

National Car Rental
Attn: Jane DeFrancisco
P.O. Box 39805
Minneapolis, Minnesota 55439

00-R-1520

Dear Ms. DeFrancisco:

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 October 02, 2000. 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. 00L0532

Date: September 11, 2000

Claimant /Victim NATIONAL CAR RENTAL

BY: (Atty)

Address: P. O. Box 39805, Minneapolis, Minnesota 55439

Subrogation: Claim for Property damage \$ 1,986.64 Bodily Injury \$

Date of Notice: 08/21/00 Method: Written, proper X Improper

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

Date of Occurrence 07/04/99 Place: Piedmont Avenue and 12th Street

Department Police Division:

Employee involved Terrence Williams Disciplinary Action:

NATURE OF CLAIM: The driver of the City vehicle was following too closely and collided with the claimant's vehicle causing damages in the above amount. However, the claim as presented does not comply with the requirements of notice as set forth in O.C.G.A. §36-33-05, in that the six month statute of limitations expired prior to receipt of the claim.

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 X Other Damages reasonable

City not involved Offer rejected Compromise settlement

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

Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,

[Signature]
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

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

Claims Manager: [Signature] Concur/date 09-11-00

Committee Action: Council Action



National Car Rental System, Inc.
Insurance Department
P.O. Box 39805
Minneapolis, Minnesota 55439

AUG 21

June 21, 2000

RECEIVED
MUNICIPAL CLERK

ENTERED - 9-6-00 - SB

00L0532 - DIANNE MITCHELL

06-21-00PC3:50 RCVD

M. DeFrancisco
09/05/00
DM

ATLANTA CITY COUNCIL
MUNICIPAL CLERK
55 Trinity Ave Sw
Atlanta, GA 303350332

Your Driver: Terrence Williams
Date of Loss: 07/04/1999
Our Renter: NICOLE LACHAPELE
Our Driver: NICOLE LACHAPELE
Our Claim Number: 000031974 - R3JFD
Total Amount Due: 1986.64

Dear ATLANTA CITY COUNCIL

Our investigation indicates that your driver is responsible for the damages to our vehicle. The cause of this accident is attributable to Mr. Williams for inattentive driving. He was unable to avoid colliding into the rear of our vehicle which stopped to avoid an accident. This accident occurred on July4, 1999 at Piedmont Ave and 12th St in Atlanta, Ga Please accept this letter as notice of our claim and direct any further correspondence to me.

We are enclosing copies of our supporting papers, police report, proof of ownership and photos for your records. Please issue payment to National Car Rental System, Inc. for the above stated amount.

Please refer to our claim number on all correspondence and payments.

Should you have any questions, please feel free to contact me.

Sincerely,

Jane DeFrancisco, Sr. Recovery Specialist
1-800-627-7777 X2379
Direct Dial: 952-830-2379
Fax #: 952-837-7999
E-mail Address: defranciscoj@nationalcar.com

00-R -1520

RCS# 2255
10/02/00
1:44 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1-17

RECONSIDER

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

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

Y McCarty	B Dorsey	Y Moore	Y Thomas	ITEM (S) REMOVED FROM <u>CONSENT AGENDA</u> 00-O-1390 00-O-1567 00-R-1480 00-R-1571 00-R-1574
Y Starnes	Y Woolard	B Martin	Y Emmons	
Y Bond	Y Morris	Y Maddox	Y Alexander	
Y Winslow	Y Muller	Y Boazman	NV Pitts	

CONSENT

RCS# 2286
10/02/00
4:58 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1-17

RECONSIDERATION

YEAS: 13
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ITEM (S) REMOVED FROM
CONSENT AGENDA
00-O-1390
00-O-1567
00-R-1480
00-R-1571
00-R-1574

10/02/00 Council Meeting		
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
1. 00-O-1393	37. 00-R-1470	50. 00-R-1504
2. 00-O-0758	38. 00-R-1471	51. 00-R-1505
3. 00-O-1341	39. 00-R-1472	52. 00-R-1506
4. 00-O-1453	40. 00-R-1476	53. 00-R-1507
5. 00-O-1326	41. 00-R-1477	54. 00-R-1508
6. 00-O-1327	42. 00-R-1481	55. 00-R-1509
7. 00-O-1328	43. 00-R-1497	56. 00-R-1510
8. 00-O-1329	44. 00-R-1498	57. 00-R-1511
9. 00-O-1301	45. 00-R-1499	58. 00-R-1512
10. 00-O-0263	46. 00-R-1500	59. 00-R-1513
11. 00-O-0979	47. 00-R-1501	60. 00-R-1514
12. 00-O-1311	48. 00-R-1502	61. 00-R-1515
13. 00-O-1418	49. 00-R-1503	62. 00-R-1516
14. 00-O-1566		63. 00-R-1517
15. 00-O-1417		64. 00-R-1518
16. 00-O-1114		65. 00-R-1519
17. 00-O-1561		66. 00-R-1520
18. 00-R-1486		67. 00-R-1521
19. 00-R-1490		68. 00-R-1522
20. 00-R-1524		69. 00-R-1523
21. 00-R-1525		
22. 00-R-1572		
23. 00-R-1483		
24. 00-R-1484		
25. 00-R-1552		
26. 00-R-1310		
27. 00-R-1466		
28. 00-R-1467		
29. 00-R-1469		
30. 00-R-1563		
31. 00-R-1549		
32. 00-R-0977		
33. 00-R-1297		
34. 00-R-1495		
35. 00-R-1461		
36. 00-R-1464		