

Entered 11-19-99 - sb
CL99L0794 - ALEXIS HOLMES

00-R -1738

CLAIM OF: **Barbara N. Dick**
1585 Springbrook Drive
Decatur, Georgia 30033

For damages alleged to have been sustained as a result of
vehicular damage due to an open road cut on October 31, 1999 at
Roxboro Road near Rockhaven Circle.

THIS ADVERSED REPORT IS APPROVED

BY: Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

ADVERSE REPORT

CONSENT AGENDA

ADVERSED BY
CITY COUNCIL NOV 06 2000

ON Public Safety
DATE 10/31/00
V- Clata Henslow
Dan Alby
Markus B
[Signature]
[Signature]

CERTIFIED
NOV 6 2000
ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
NOV 06 2000
Rhonda Daughin Johnson
MUNICIPAL CLERK



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

November 14, 2000

Babara N. Dick
1585 Springbrook Dr.
Decatur, GA 30033

00-R-1738

Dear Ms. Dick:

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 November 6, 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. 99L0794

Date: 10/19/00

Claimant /Victim BARBARA N. DICK

BY: (Atty)

Address: 1585 Springbrook Drive, Decatur, Georgia 30033

Subrogation: Claim for Property damage \$ Bodily Injury \$

Date of Notice: 11/15/99 Method: Written, proper X Improper

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

Date of Occurrence 10/31/99 Place: Bankhead Highway and North Grand

Department Division:

Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant alleged that she sustained damage to her vehicle when she hit an unsecured construction cut on Roxboro Road, near Rockhaven Circle. An investigation determined that United Water Services Atlanta performed work at the incident location. The original claim was sent to United Water Services Atlanta for resolution, and claimant was paid on September 8, 2000 by check in the amount of \$115.00.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral

Pictures Diagrams Reports: Police Dept Report Other X

Traffic citations issued: City Driver Claimant Driver

Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental Ministerial

Improper Notice More than Six Months Other Damages reasonable

City not involved X Offer rejected Compromise settlement

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

Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,

Alexis Holmes
INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

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

Claims Manager: Concur/date 10-20-00

Committee Action: Council Action

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

RE: CLAIM FOR DAMAGES

Today's Date: 11/12/99

Jordan
11/17/99

Dear Municipal Clerk:

ENTERED - 11-19-99 - SB
99L0794 - DOBBS JORDAN

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 115 property and/or \$ 0 bodily injury for which I contend the City is liable.

1. Date of incident: 10 31 99 (month/day/year) 2. Time of Incident: 9 8pm 3. Police called: Yes No
4. Location of incident (including street address): Roxboro Rd South of Peachtree ^{before} ~~between~~ Rockhaven Cir.
5. Name of your insurance company: STATE FARM (No collision) Policy No. P369106-C22-11
6. State what and how incident occurred: Driving down Roxboro at night there was road work with a plate supposedly covering the hole. The plate did not cover the entire hole and my ^{RIGHT} rear tire fell into it, and went flat. I made it to Rockhaven Cir. where 2 men changed my tire for me. I have →

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: Mazda Miata 99 976 PAN Barbara Dick
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: road repair
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: Sara Rayburn 1585 Springbrook Dr Decatur GA 30033 770-6210940
(Name) (Address) (Telephone Number)

10. The acknowledgement 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 employees(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.

Barbara N. Dick
Signature of Claimant

Barbara N. Dick
(Print Claimant's Name)

1585 Springbrook Dr
(Address)

Decatur, GA 30033
(City, State and Zip Code)

770-6210940
(Work Number) (Home Number)

INVOICE

Atlantic Wheelwright Ind., Inc.

3822 Roswell Rd NE
 Marietta, GA 30062
 770-509-7587

DATE	INVOICE #
11/10/99	91093

BILL TO:

Barbare Dick
 770-621-0940

P.O. NUMBER	TERMS	PROJECT
	Retail	11/8/99

QUANTITY	DESCRIPTION	RATE	AMOUNT
1	15 in -Mazda		0.00
1	Diagnosed for Repair	0.00	
1	Repair metal damage - (only) true / weld / lathe / machine	100.00	100.00
0	Refinish plus machine-work	105.00	0.00
0	Repair & refinish - Whole Wheel All metal-work and finish-work	175.00	
0	Additional Metalwork &/or Finishwork	35.00	
0	NEXT DAY SERVICE	30.00	
1	Tirework	15.00	15.00
1		0.00	
1		0.00	

PP CR# 1681

00-R-1738

Thank you for your business.	TOTAL	\$115.00
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RCS# 2356
11/06/00
2:45 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1-17

ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

Y McCarty
B Starnes
Y Bond
Y Winslow

Y Dorsey
Y 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-R-1422
00-R-1666

CONSENT

		11/06/00 Council Meeting
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
1. 00-O-1577	30. 00-R-1716	59. 00-R-1753
2. 00-O-1586	31. 00-R-1724	60. 00-R-1754
3. 00-O-1615	32. 00-R-1725	61. 00-R-1755
4. 00-O-1661	33. 00-R-1727	62. 00-R-1756
5. 00-O-1663	34. 00-R-1728	63. 00-R-1757
6. 00-O-1670	35. 00-R-1729	64. 00-R-1758
7. 00-R-1578	36. 00-R-1730	65. 00-R-1759
8. 00-R-1685	37. 00-R-1731	66. 00-R-1760
9. 00-R-1780	38. 00-R-1732	67. 00-R-1761
10. 00-R-1659	39. 00-R-1733	68. 00-R-1762
11. 00-R-1688	40. 00-R-1734	69. 00-R-1763
12. 00-R-1689	41. 00-R-1735	70. 00-R-1764
13. 00-R-1704	42. 00-R-1736	71. 00-R-1765
14. 00-R-1722	43. 00-R-1737	72. 00-R-1766
15. 00-R-1723	44. 00-R-1738	73. 00-R-1767
16. 00-R-1708	45. 00-R-1739	74. 00-R-1768
17. 00-R-1774	46. 00-R-1740	75. 00-R-1769
18. 00-R-1709	47. 00-R-1741	76. 00-R-1770
19. 00-R-1710	48. 00-R-1742	77. 00-R-1771
20. 00-R-1711	49. 00-R-1743	78. 00-R-1772
21. 00-R-1712	50. 00-R-1744	79. 00-R-1773
22. 00-R-1713	51. 00-R-1745	
23. 00-R-1714	52. 00-R-1746	
24. 00-R-1715	53. 00-R-1747	
25. 00-R-1717	54. 00-R-1748	
26. 00-R-1718	55. 00-R-1749	
27. 00-R-1719	56. 00-R-1750	
28. 00-R-1720	57. 00-R-1751	
29. 00-R-1721	58. 00-R-1752	