

Entered - 05/19/00 - sb  
CL00L0303 - DIANNE C. MITCHELL

CLAIM OF: **WILLIAM C. FINCH, JR.**  
2903 North Hills Circle  
Atlanta, Georgia 30305

For damages alleged to have been sustained as a result of a sewer back up on December 9, 1999 at 2903 North Hills Circle.

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 **WILLIAM C. FINCH, JR.** 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 sewer back up on December 9, 1999 at 2903 North Hills Circle as is more particularly set forth in the within claim; said sum taken from and charged to account 2J01/529017/T31001, 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

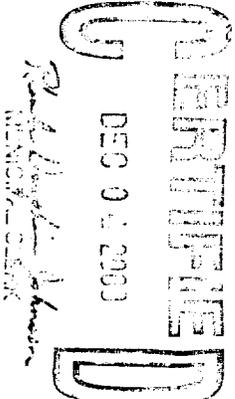
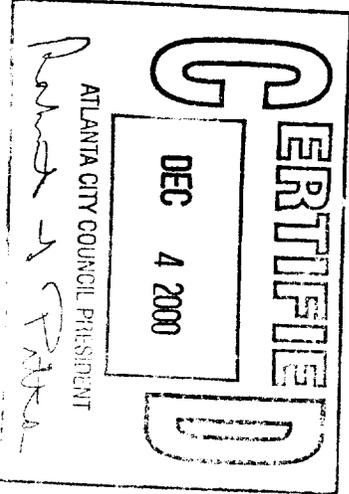
DATE: 11/28/00

BY: C. T. Martin

[Signature]

CONSENT AGENDA

ADOPTED BY  
DEC 04 2000  
COUNCIL



APPROVED  
DEC 13 2000  
WITHOUT SIGNATURE  
BY OPERATION OF LAW



**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

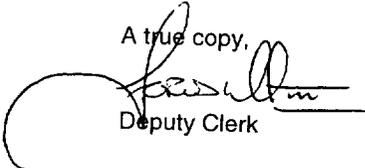
**00-R-1903**

**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 **William C. Finch, Jr.** 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 **sewer back up on December 9, 1999 at 2903 North Hills Circle** 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 Clerk

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

DEC 04, 2000

DEC 13, 2000

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0303

Date: November 17, 2000

Claimant /Victim WILLIAM C. FINCH, JR.

BY: (Atty.) (Ins. Co.) \_\_\_\_\_

Address: 2903 North Hills Drive, Atlanta, Georgia 30305

Subrogation: \_\_\_\_\_ Claim for Property damage \$ 5,827.79 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 04/25/00 Method: Written, proper X Improper \_\_\_\_\_

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

Date of Occurrence 12/09/99 Place: 2903 North Hills Drive

Department Public Works Division: Sewer Operations

Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

NATURE OF CLAIM: The claimant alleges his property was damaged due to a sewer back up. The investigation determined that the City had notice of problems with the sewer main line prior to back up into the claimant's home.

INVESTIGATION:

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_

Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police \_\_\_\_\_ Dept Report X 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 \_\_\_\_\_

City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement X

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

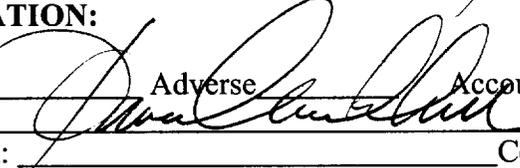
Claimant Negligent \_\_\_\_\_ City Negligent X Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 1,000.00 Adverse \_\_\_\_\_ Account charged: 1A01 \_\_\_\_\_ 2J01 X 2H01 \_\_\_\_\_

Claims Manager:  Concur/date 11/17/00

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_



RCS# 2434  
12/04/00  
3:58 PM

Atlanta City Council

Regular Session

CONSENT

Pages: 1-19

ADOPT

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 1

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

NV McCarty	Y Dorsey	Y Moore	B Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	NV Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM  
CONSENT AGENDA  
00-O-1874  
00-O-1986  
00-R-1950

CONSENT

		12/04/00 Council Meeting
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSED ON CONSENT AGENDA
1. 00-O-1289	36. 00-R-1959	64. 00-R-1816
2. 00-O-1680	37. 00-R-1882	65. 00-R-1817
3. 00-O-1792	38. 00-R-1985	66. 00-R-1818
4. 00-O-1797	39. 00-R-1943	67. 00-R-1819
5. 00-O-1003	40. 00-R-1945	68. 00-R-1820
6. 00-O-1228	41. 00-R-1946	69. 00-R-1821
7. 00-O-1795	42. 00-R-1947	70. 00-R-1822
8. 00-O-1796	43. 00-R-1948	71. 00-R-1823
9. 00-O-1860	44. 00-R-1949	72. 00-R-1824
10. 00-O-1616	45. 00-R-1951	73. 00-R-1825
11. 00-O-1853	46. 00-R-1970	74. 00-R-1826
12. 00-O-1801	47. 00-R-2016	75. 00-R-1827
13. 00-O-1963	48. 00-R-1901	76. 00-R-1828
14. 00-O-1965	49. 00-R-1902	77. 00-R-1829
15. 00-R-1788	50. 00-R-1903	78. 00-R-1830
16. 00-R-1886	51. 00-R-1904	79. 00-R-1831
17. 00-R-1953	52. 00-R-1905	80. 00-R-1832
18. 00-R-1955	53. 00-R-1906	81. 00-R-1833
19. 00-R-2009	54. 00-R-1907	82. 00-R-1834
20. 00-R-2010	55. 00-R-1908	83. 00-R-1836
21. 00-R-2011*	56. 00-R-1909	
22. 00-R-1890	57. 00-R-1910	
23. 00-R-1937	58. 00-R-1911	
24. 00-R-1938	59. 00-R-1912	
25. 00-R-1939	60. 00-R-1913	
26. 00-R-1940	61. 00-R-1914	
27. 00-R-1988	62. 00-R-1915	
28. 00-R-2006	63. 00-R-1916	
29. 00-R-2013		
30. 00-R-1887		
31. 00-R-2015		
32. 00-R-1957		
33. 00-R-1958		
34. 00-R-1877		
35. 00-R-2008		

\* President Pitts  
recused himself.