

Entered - 7-16-97 - tew
CL - 97L0398 ALEXIS HOLMES

01-R-0023

CLAIM OF: **SARA C. JENNETTE**
225 Midvale Drive
Atlanta, GA 30342

For damages alleged to have been sustained as a result of property damage on October 29, 1996 at 225 Midvale Drive.

THIS ADVERSED REPORT IS APPROVED

BY: Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY *Robert M. City*

ADVERSE REPORT

COM. P.B. & L.A.
DATE 1/16/01
CHM C. T. Martin
[Signature]
[Signature]
[Signature]
[Signature]
[Signature]

ADVERSED BY CITY COUNCIL JAN 16 2001



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

January 26, 2001

Sara C. Jennette
225 Midvale Drive
Atlanta, GA 30342

01-R-0023

Dear Ms. Jennette:

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 January 16, 2001. 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. 97L0398

Date: 12/28/00

Claimant /Victim SARA C. JENNETTE

BY: (Atty)

Address: 225 Midvale Drive Atlanta, Georgia 30342

Subrogation: Claim for Property damage \$ 1,956.00 Bodily Injury \$

Date of Notice: 6/30/00 Method: Written, proper Improper X

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

Date of Occurrence 10/29/96 Place: 225 Midvale Drive, Atlanta, Georgia 30342

Department Public Works Division: Sanitation

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimants' state that her driveway was damaged by heavy City vehicles when workers were collecting her trash. However, this claim was not filed in a timely manner and therefore it does not conform to the notice requirements as set forth in O.C.G.A. §36-33-5.

INVESTIGATION:

Statements: City employee X Claimant X Other Written Oral X

Pictures Diagrams Reports: Police 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 X 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 Joint Claim Abandoned

Respectfully submitted,

Alexis Holmes

INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

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

Claims Manager: Concur/date 12-28-00

Committee Action: Council Action

RCS# 2563
1/16/01
4:18 PM

Atlanta City Council

Regular Session

Claims

MULTIPLE

Unfavorable Items 9-33

01-R-0012	01-R-0023	ADOPT	
01-R-0013	01-R-0024		
01-R-0014	01-R-0025	YEAS:	13
01-R-0015	01-R-0026	NAYS:	0
01-R-0016	01-R-0027	ABSTENTIONS:	0
01-R-0017	01-R-0044	NOT VOTING:	3
01-R-0018	01-R-0045	EXCUSED:	0
	01-R-0047	ABSENT	0
01-R-0019	01-R-0048		
01-R-0020	01-R-0049		
01-R-0021	01-R-0050		
01-R-0022	01-R-0051	01-R-0052	

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

MULTIPLE