

Entered -1-9-01 - sb
CL 01L0016 - GWENDOLYN BURNS

01-R-0132

CLAIM OF: **BELINDA BURNETT**
95 Hillsdale Drive, SE
Atlanta, Georgia 30315

For vehicular damages alleged to have been sustained when an unknown vehicle struck a parked vehicle on November 29, 2000 at the James Walker Sewer Facility located at 360 Englewood Drive, SE.

ADVERSED BY
CITY COUNCIL
FEB 05 2001

THIS ADVERSED REPORT IS
APPROVED

BY: *Robert N. Godfrey*
ROBERT N. GODFREY
DEPUTY CITY ATTORNEY

Public Safety
1-30-01
Robert N. Godfrey
Thomas
Woot

CERTIFIED
FEB 05 2001
ATLANTA CITY COUNCIL PRESIDENT
Richard A. Pitts

CERTIFIED
FEB 05 2001
Frank Dandrea 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

February 15, 2001

Belinda Burnett
95 Hillsdale Dr., SE
Atlanta, GA 30315

01-R-0132

Dear Ms. Burnett:

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 February 05, 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. 01L0016

Date: January 19, 2001

Claimant /Victim BELINDA BURNETT
BY: (Atty) (Ins. Co.)
Address: 95 Hillsdale Drive, SE, Atlanta, Georgia 30315
Subrogation: Claim for Property damage \$ 806.49 Bodily Injury \$
Date of Notice: 2/7/00 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 11/29/00 Place: 360 Englewood Avenue- James Walker Sewer Facility
Department PUBLIC WORKS Division Sewer Operations
Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges that her vehicle sustained damage when it was struck by an unknown vehicle while parked at the City's Sewer Operations facility at the above location. However, the City is not responsible for the actions of a third party.

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 X Ministerial
Improper Notice More than Six Months Other X 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,

[Signature]
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager: [Signature] Concur/date 01-19-01
Committee Action: Council Action



RCS# 2577
2/05/01
2:28 PM

Atlanta City Council

Regular Session

CONSENT

Pages: 1-14

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 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	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
00-O-2069
01-O-0083
01-R-0074
01-R-0092
01-R-0093

CONSENT

ITEMS ADOPTED ON CONSENT
AGENDA

ITEMS ADVERSED
ON CONSENT AGENDA

1. 00-O-1856
2. 01-O-0091
3. 01-O-0094
4. 01-O-0065
5. 01-O-0090
6. 01-O-0097
7. 01-O-0109
8. 00-R-2105
9. 01-R-0078
10. 01-R-0153
11. 01-R-0102
12. 00-R-0729
13. 01-R-0071
14. 01-R-0077
15. 01-R-0114
16. 01-R-0115
17. 01-R-0116
18. 01-R-0117
19. 01-R-0118
20. 01-R-0145
21. 01-R-0149
22. 01-R-0073
23. 01-R-0101
24. 01-R-0147
25. 01-R-0119
26. 01-R-0120
27. 01-R-0122
28. 01-R-0123
29. 01-R-0124
30. 01-R-0125
31. 01-R-0126
32. 01-R-0127
33. 01-R-0128
34. 01-R-0129
35. 01-R-0130
36. 01-R-0146

37. 01-R-0131
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 43. 01-R-0137
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 47. 01-R-0141
 48. 01-R-0142
 49. 01-R-0143
 50. 01-R-0144
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