



A RESOLUTION

BY PUBLIC SAFETY AND LEGAL
ADMINISTRATION COMMITTEE

01-R-0167

**A RESOLUTION AUTHORIZING PAYMENT IN THE
AMOUNT OF \$1,000.00 IN SETTLEMENT OF THE CLAIM
OF MATTHEW HUMPHREYS AGAINST THE CITY OF
ATLANTA AND FOR OTHER PURPOSES**

WHEREAS, Matthew Humphreys has filed a claim against the City of Atlanta seeking damages arising out of a collision between a vehicle operated by Officer Kimberly Coll, an employee of the Department of Public Safety, and Mr. Humphreys' vehicle; and

WHEREAS, the collision occurred when the City employee was following too closely and rear ended the claimant's vehicle; and

WHEREAS, the claimant has asserted damages in the amount of \$3,780.30, but has agreed to accept the sum of \$1,000.00 in full and complete satisfaction and settlement of his claim against the City of Atlanta; and

WHEREAS, the City Attorney has recommended that the claim of Matthew Humphreys be settled for the sum of \$1,000.00.

WHEREAS, this claim was previously denied by City Council on September 5, 2000.

THEREFORE, BE IT RESOLVED that the Council of the City of Atlanta, Georgia that resolution number 00-R-1384 be hereby rescinded and that \$1,000.00 be paid by the City of Atlanta in satisfaction of any and all claims Matthew Humphreys may have stemming from damages sustained as a result of a vehicular collision that occurred at 10th Street and Atlantic Drive on or about May 7, 2000.

BE IT FURTHER RESOLVED that the Chief Financial Officer be and hereby authorized to pay the above mentioned sum from account number 1A01/529017/T31001.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

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

FEB 19, 2001

FEB 28, 2001

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 99L0350

Date: February 1, 2001

Claimant /Victim MATTHEW HUMPHREYS

BY: (Atty) _____

Address: 1252 Francis Street, Atlanta, Georgia 30318

Subrogation: _____ Claim for Property damage \$ 3,780.30 Bodily Injury \$ _____

Date of Notice: 06/04/99 Method: Written, proper X Improper _____

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

Date of Occurrence 05/07/99 Place: 10th Street and Atlantic Drive

Department POLICE Division: _____

Employee involved Kimberly Coll Disciplinary Action: Pending

NATURE OF CLAIM: The driver of the City vehicle was following too closely and rear-ended the claimant's vehicle causing damages in the above amount. The claimant had earlier rejected the City's settlement offer and has now changed his mind and accepted the City's settlement offer.

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 _____ Other _____ Damages reasonable _____

City not involved _____ Offer rejected _____ Compromise settlement X

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

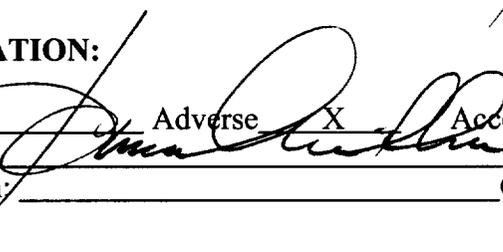
Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

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

Claims Manager:  Concur/date 02-01-01

Committee Action: _____ Council Action _____

JORDAN
06/07/99
JD

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK

RE: CLAIM FOR DAMAGES

City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

Today's Date: 6/2/99

ENTERED - 6-15-99 - SB
99L0350 - DOBBS JORDAN

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 3,780.30 property and/or \$ _____ bodily injury for which I contend the City is liable.

1. Date of incident: 5/7/99 2. Time of Incident: _____ 3. Police called: Yes No
(month/day/year)

4. Location of incident (including street address): 10th St. / Atlantic Avenue

5. Name of your insurance company: State Farm Insurance Policy No. _____

6. State what and how incident occurred: City of Atlanta Police officer ran into my vehicle from behind

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: Volkswagen Corrado 1992 5571 QF Matthew Humphreys
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: Ford Econoline Kimberly Coll Police
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: _____
(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).

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

[Signature]
Signature of Claimant

Matthew Humphreys
Print Claimant's Name

1252 Francis St
Address

Atlanta, GA 30318
(City, State and Zip Code)

404-874-8303
(Work Number) (Home Number)



RCS# 2621
2/19/01
3:24 PM

Atlanta City Council

Regular Session

CONSENT

Pages: 1 thru 13

SEE ATTACHED LISTING OF ITEMS
ADOPTED/ADVERSED ON
CONSENT AGENDA

ADOPT

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 0

| | | | |
|-----------|-----------|-----------|-------------|
| Y 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 | Y Boazman | NV Pitts |

ITEM (S) REMOVED FROM
CONSENT AGENDA
01-O-0223
01-R-0184

CONSENT

**ITEMS ADOPTED ON CONSENT
AGENDA**

1. 00-O-1619
2. 00-O-2073
3. 01-O-0112
4. 01-O-0069
5. 01-O-0072
6. 01-O-0211
7. 01-O-0213
8. 01-O-0121
9. 01-O-0151
10. 01-O-0098
11. 01-O-0075
12. 01-R-0226
13. 01-R-0191
14. 01-R-0192
15. 01-R-0076
16. 01-R-0194
17. 01-R-0215
18. 01-R-0167
19. 01-R-0198
20. 01-R-0208
21. 01-R-0246
22. 01-R-0070
23. 01-R-0182
24. 01-R-0183
25. 01-R-0158
26. 01-R-0159
27. 01-R-0160
28. 01-R-0161
29. 01-R-0162
30. 01-R-0163
31. 01-R-0164
32. 01-R-0165
33. 01-R-0166

**ITEMS ADVERSED
ON CONSENT AGENDA**

34. 01-R-0169
 35. 01-R-0170
 36. 01-R-0171
 37. 01-R-0172
 38. 01-R-0173
 39. 01-R-0174
 40. 01-R-0175
 41. 01-R-0176
 42. 01-R-0177
 43. 01-R-0195
 44. 01-R-0196
 45. 01-R-0197
-

01-~~11~~-0167
(Do Not Write Above This Line)

A RESOLUTION

**BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION
COMMITTEE**

**A A RESOLUTION AUTHORIZING
PAYMENT IN THE AMOUNT OF
\$1,000.00 IN SETTLEMENT OF THE
CLAIM OF MATTHEW HUMPHREYS
AGAINST THE CITY OF ATLANTA
AND FOR OTHER PURPOSES**

APPROVED BY:

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

FEB 19 2001

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred _____

Referred To: _____

Date Referred _____

Referred To: _____

Date Referred _____

Referred To: _____

First Reading

Committee _____

Date _____

Chair *C.T. Mark*

Referred to _____

Committee *P.S. & L.H.*

Date *2/13/01*

Chair *C.T. Mark*

Action: _____

Fav, Adv, Hold (see rev. side) _____

Other: _____

Members *[Signature]*

Refer To _____

Committee _____

Date _____

Chair _____

Action: _____

Fav, Adv, Hold (see rev. side) _____

Other: _____

Members _____

Refer To _____

Committee _____

Date _____

Chair _____

Action: _____

Fav, Adv, Hold (see rev. side) _____

Other: _____

Members _____

Refer To _____

Committee _____

Date _____

Chair _____

Action: _____

Fav, Adv, Hold (see rev. side) _____

Other: _____

Members _____

Refer To _____

FINAL COUNCIL ACTION

2nd 1st & 2nd 3rd

Readings

Consent V Vote RC Vote

CERTIFIED

CERTIFIED

FEB 19 2001

ATLANTA CITY COUNCIL PRESIDENT

Richard A. Patrick

CERTIFIED

FEB 19 2001

Rosalind Rubens Newell

MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

FEB 28 2001

WITHOUT SIGNATURE
BY OPERATION OF LAW