

Entered - 01/19/01 - sb  
CL01L0040 - DIANNE C. MITCHELL

01-R-0176

CLAIM OF: **MARK ROBERTS**  
**7275 Roswell Road**  
**#23-515**  
**Atlanta, Georgia 30328**

For damages alleged to have been sustained as a result of the vandalism of his vehicle on December 11, 2000 at Harriet Street and Jonesboro Road.

THIS ADVERSED REPORT IS APPROVED

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

ADVERSED BY  
CITY COUNCIL FEB 19 2001

ADVERSED REPORT  
COM. *Public Safety*  
DATE *2-13-01*  
OFF. *C. T. Martin*  
*[Signature]*  
*[Signature]*  
*[Signature]*

**CERTIFIED**  
FEB 19 2001  
ATLANTA CITY COUNCIL PRESIDENT  
*[Signature]*

**CERTIFIED**  
FEB 19 2001  
*Renee Daughlin 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 26, 2001

Mark Roberts  
7275 Roswell Road  
Apartment 23-515  
Atlanta, GA 30328

01-R-0176

Dear Mr. Roberts:

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 19, 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. 01L0040

Date: January 25, 2001

Claimant /Victim MARK ROBERTS

BY: (Atty)(Ins. Co.)

Address: 7275 Roswell Road, #23-515, Atlanta, Georgia 30328

Subrogation: Claim for Property damage \$ 325.00 Bodily Injury \$

Date of Notice: 12/27/00 Method: Written, proper X Improper

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

Date of Occurrence 12/11/00 Place: Harriet Street and Jonesboro Road

Department Division:

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges that his vehicle was vandalized while stored on property belonging to A-Tow Wrecker. The City is not responsible for damages that occur on private property.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral

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 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,

[Handwritten signature of Dianne C. Mitchell]

INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

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

Claims Manager: [Handwritten signature] Concur/date 01-25-01

Committee Action: Council Action



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
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