

Entered - 01/19/01 - sb
CL01L0039 - DIANNE C. MITCHELL

CLAIM OF: **DORIS MOSLEY**
349 Hopkins Street, SW
Atlanta, Georgia 30310

For damages alleged to have been sustained as a result of vehicular damage by a sand spreader on December 22, 2000 on Northside Drive.

THIS ADVERSED REPORT IS APPROVED

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

ADVERSED BY
CITY COUNCIL FEB 19 2001

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

CERTIFIED
FEB 19 2001
ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
FEB 19 2001
Ronda Daughin 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

Doris Mosley
349 Hopkins St., SW
Atlanta, GA 30310

01-R-0196

Dear Ms. Mosley:

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. 01L0037

Date: January 25, 2001

Claimant /Victim DORIS MOSLEY

BY: (Atty)(Ins. Co.) _____

Address: 349 Hopkins Street, SW, Atlanta, Georgia 30310

Subrogation: _____ Claim for Property damage \$ 1,292.00 Bodily Injury \$ _____

Date of Notice: 01/16/00 Method: Written, proper X Improper _____

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

Date of Occurrence 12/22/00 Place: Northside Drive

Department _____ Division: _____

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges that her vehicle was damaged when it was sprayed by sand from a DOT sand spreader. The claimant has been advised to pursue her claim directly with the Georgia Department of Transportation.

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 _____

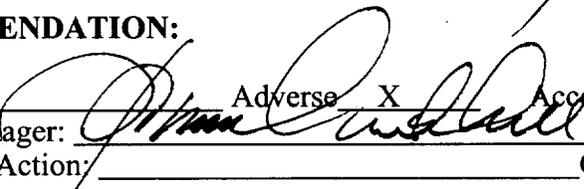
Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

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

Claims Manager:  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
-