

Entered -08-06-99 - sb  
CL 99L0534 - GWENDOLYN BURNS

01- R-0376

CLAIM OF:

**JANUATIAKETHA ANDREWS**  
3511 Villa Circle  
Atlanta, Georgia 30354

For vehicular damages alleged to have been sustained from driving over a manhole cover in the roadway on May 24, 1999 at 3396 Gilbert Road, SE.

THIS ADVERSED REPORT IS  
APPROVED

APPROVED  
DATE 3 9 2001

BY: Rosalind Rubens Newell  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

REPORT  
Public Safety  
DATE 3/13/01  
C. T. Murray  
Michael [unclear]  
Cela [unclear]  
Wool  
Lynn

**CERTIFIED**  
MAR 19 2001  
ATLANTA CITY COUNCIL PRESIDENT  
Robert J. Pitts

**CERTIFIED**  
MAR 19 2001  
Rochelle Douglas 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

March 31, 2001

Januatiaketha Andrews  
3511 Villa Circle  
Atlanta, GA 30354

01-R-0376

Dear Ms. Andrews:

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 March 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. 99L0534

Date: February 27, 2001

Claimant /Victim JANUATIAKETHA ANDREWS
BY: (Atty) (Ins. Co.)
Address: 3511 Villa Circle, Atlanta, Georgia 30354
Subrogation: Claim for damages \$ 761.11 Bodily Injury \$
Date of Notice: 8/6/99 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 5/24/99 Place: 3396 Gilbert Street
Department PUBLIC WORKS Division Sewer Operations
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant alleges that she sustained vehicular damage when she drove over a manhole cover that was lying in the street and not secured to the manhole. An investigation determined that the City did not have notice of the condition of the manhole prior to the incident date.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police Dept Report X Other
Traffic citations issued: City Driver Claimant Driver
Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental Ministerial X
Improper Notice More than Six Months Other X 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,

Gwendolyn Burns
INVESTIGATOR - GWENDOLYN BURNS

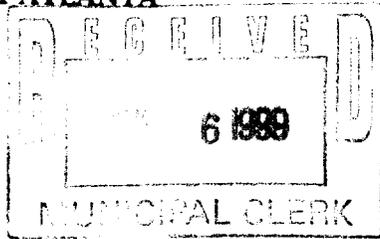
RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager: Concur/date 03-02-01
Committee Action: Council Action

Jordan  
08/31/99  
[Signature]

COUNCIL OF THE CITY OF ATLANTA  
MUNICIPAL CLERK

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



RE: CLAIM FOR DAMAGES

Today's Date: 7/30/99

Dear Municipal Clerk:

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

ENTERED - 8-17-99 - SB  
99L0534 - DOBBS JORDAN

1. Date of incident: 5 24 99 (month/day/year) 2. Time of Incident: Approx 5:46 PM 3. Police called:  Yes  No

4. Location of incident (including street address): Gilbert Rd.

5. Name of your insurance company: Suprem Policy No. \_\_\_\_\_

6. State what and how incident occurred: Enclosed

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: Oldsmobile Cutlass 84 985PWF Januatiaketha Andrews  
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: \_\_\_\_\_  
(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 of Claimant

Januatiaketha Andrews  
(Print Claimant's Name)

3511 Villa Cir  
(Address)

Atlanta, GA 30351  
(City, State and Zip Code)

(4) 842-3941 Ext 1487 (4) 608-8216  
(Work Number) (Home Number)

RCS# 2725  
3/19/01  
2:52 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1 thru 15

ADOPT

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 0  
ABSENT 1

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

ITEM (S) REMOVED FROM  
CONSENT AGENDA  
01-O-0067

Woolard & Morris voted Nay on the  
following items:

01-R-0379  
01-R-0392  
01-R-0393  
01-R-0394  
01-R-0395  
01-R-0396

CONSENT

RCS# 2726  
3/19/01  
2:54 PM

Atlanta City Council

Regular Session

CONSENT *Reconsidered-  
#1*

Pages 1 thru 15

ADOPT

YEAS: 11  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 4  
EXCUSED: 0  
ABSENT 1

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

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

ITEM (S) REMOVED FROM  
CONSENT AGENDA  
01-O-0067  
01-O-0354

Woolard & Morris voted Nay on the  
following items:

01-R-0379  
01-R-0392  
01-R-0393  
01-R-0394  
01-R-0395  
01-R-0396

CONSENT

RCS# 2753  
3/19/01  
5:40 PM

Atlanta City Council

Regular Session

CONSENT *Reconsidered*  
*#2*

Pages 1 thru 15

ADOPT

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 1

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

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

ITEM (S) REMOVED FROM  
CONSENT AGENDA

01-O-0067

01-O-0354

01-O-0188

Woolard & Morris voted Nay on the  
following items:

01-R-0379

01-R-0392

01-R-0393

01-R-0394

01-R-0395

01-R-0396

CONSENT

**ITEMS ADOPTED ON  
CONSENT AGENDA**

**ITEMS  
ADOPTED ON  
CONSENT  
AGENDA**

**ITEMS  
ADVERSE  
ON CONSENT  
AGENDA**

- |               |               |               |
|---------------|---------------|---------------|
| 1. 01-O-0306  | 39. 01-R-0397 | 57. 01-R-0437 |
| 2. 01-O-0445  | 40. 01-R-0398 | 58. 01-R-0438 |
| 3. 01-O-0449  | 41. 01-R-0399 | 59. 01-R-0375 |
| 4. 01-O-0450  | 42. 01-R-0400 | 60. 01-R-0376 |
| 5. 01-O-0098  | 43. 01-R-0401 | 61. 01-R-0377 |
| 6. 01-O-0178  | 44. 01-R-0402 | 62. 01-R-0378 |
| 7. 01-O-0302  | 45. 01-R-0403 | 63. 01-R-0379 |
| 8. 01-O-0367  | 46. 01-R-0404 | 64. 01-R-0380 |
| 9. 00-O-1987  | 47. 01-R-0405 | 65. 01-R-0381 |
| 10. 01-O-0448 | 48. 01-R-0406 | 66. 01-R-0382 |
| 11. 00-O-2069 | 49. 01-R-0407 | 67. 01-R-0383 |
| 12. 01-O-0446 | 50. 01-R-0408 | 68. 01-R-0384 |
| 13. 01-O-0187 | 51. 01-R-0409 | 69. 01-R-0385 |
| 14. 01-O-0294 | 52. 01-R-0410 | 70. 01-R-0386 |
| 15. 01-R-0411 | 53. 01-R-0433 | 71. 01-R-0387 |
| 16. 01-R-0412 | 54. 01-R-0434 | 72. 01-R-0388 |
| 17. 01-R-0413 | 55. 01-R-0435 | 73. 01-R-0389 |
| 18. 01-R-0414 | 56. 01-R-0436 | 74. 01-R-0390 |
| 19. 01-R-0420 |               | 75. 01-R-0391 |
| 20. 01-R-0421 |               | 76. 01-R-0392 |
| 21. 01-R-0475 |               | 77. 01-R-0393 |
| 22. 01-R-0428 |               | 78. 01-R-0394 |
| 23. 01-R-0429 |               | 79. 01-R-0395 |
| 24. 01-R-0477 |               | 80. 01-R-0396 |
| 25. 01-R-0220 |               | 81. 01-R-0440 |
| 26. 01-R-0430 |               | 82. 01-R-0439 |
| 27. 01-R-0447 |               |               |
| 28. 01-R-0452 |               |               |
| 29. 01-R-0458 |               |               |
| 30. 01-R-0417 |               |               |
| 31. 01-R-0426 |               |               |
| 32. 01-R-0427 |               |               |
| 33. 00-R-1466 |               |               |
| 34. 01-R-0416 |               |               |
| 35. 01-R-0419 |               |               |
| 36. 01-R-0424 |               |               |
| 37. 01-R-0108 |               |               |
| 38. 01-R-0189 |               |               |
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