

Entered - 11/19/99 - sb
CL99L0765 - DIANNE C. MITCHELL

01-R-0377

CLAIM OF: **CLARENCE AND EVA BATES,**
through their attorney,
Patrise M. Perkins-Hooker
794 Juniper Street, NE
Atlanta, Georgia 30308

For damages alleged to have been sustained as a result of the delay
in the processing of a local assistance grant for 1998 and 1999 at
1750 Sandtown Road, SW.

THIS ADVERSED REPORT IS APPROVED

APPROVED BY: [Signature] 3/13/01

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

CERTIFIED
MAR 19 2001
ATLANTA CITY COUNCIL PRESIDENT
Robert W. Pitts

REPORT
Public Safety
3/13/01
C. T. Marley
[Signature]
[Signature]
G. Work
[Signature]

CERTIFIED
MAR 19 2001
Robert D. Johnson
MUNICIPAL CLERK



**CITY OF ATLANTA
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 30, 2001

Patrise M. Perkins-Hooker
Attorney at Law
794 Juniper Street, NE
Atlanta, GA 30308

01-R-0377

RE: Clarence & Eva Bates

Dear Mr. & Mrs. Bates:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her 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 client's 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.**

Yours very truly,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 99L0765

Date: March 1, 2001

Claimant /Victim CLARENCE AND EVA BATES

BY: (Atty)(Ins. Co.) Patrise Perkins-Hooker

Address: 794 Juniper Street, NE, Atlanta, Georgia 30308

Subrogation: Claim for Property damage \$ not stated Bodily Injury \$

Date of Notice: 11/05/99 Method: Written, proper X Improper

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

Date of Occurrence 09/24/99 Place: 1750 Sandtown Road, SW

Department Planning, Development and Neighborhood Conservation Division:

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimants allege that their application for a local assistance grant to operate an outdoor summer camp for children had been delayed. The investigation determined that the claimant's received their grant funding on March 6, 2000 and April 6, 2000.

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 X Ministerial

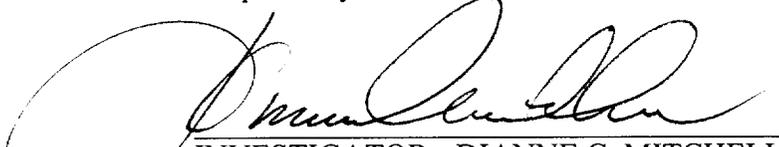
Improper Notice More than Six Months Other X Damages reasonable

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



INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

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

Claims Manager: Concur/date 03-02-01

Committee Action: Council Action

Johnson, Freeman & Perkins-Hooker, LLC

ATTORNEYS AT LAW

**Horace J. Johnson, Jr.
Ronald J. Freeman
Patrise Perkins-Hooker
Clarence R. Johnson, Jr.
Thomas A. Cox, Jr.
Kbadija C. Cabey**

**794 Juniper Street, N.E.
Juniper at Fifth
Atlanta, Georgia 30308
(404) 815-9377
(404) 815-9366 Fax**

**Peachtree Office
999 Peachtree Street, N.E.
First Union Plaza
Suite 2850
Atlanta, Georgia 30309
(404) 249-8477
(404) 249-7927 Fax**

**Maureen M. McLeod
Cbad R. Henderson
Cynthia W. Roseberry**

November 4, 1999

NOV - 5 1999

**Covington Office
P.O. Box 2250
2143 Washington Street
Covington, Georgia 30015
(770) 787-2613
(770) 787-9634 Fax**

Arnold Ragus - Of Counsel

**ENTERED - 11-19-99 - SB
99L0765 - DIANNE MITCHELL**

Reply to: Peachtree Office

Mayor Bill Campbell
City of Atlanta
68 Mitchell Street, Suite 1200
Atlanta, Georgia 30303

Via Fax and Regular Mail

RE: Local Assistance Grant to House of Love & Hope, Inc.

Dear Mayor Campbell:

I am writing on behalf of my clients, Clarence and Eva Bates and The House of Love & Hope, Inc. to eliminate the delay in the processing of a Local Assistance Grant which they received from the Georgia Legislature which is to be funded through the City of Atlanta. My clients applied in July for the grant and with the assistance of Representative Pam Stanley they were able to obtain approval for the same. This grant was to defray costs associated with their operations of a 1998 and a 1999 outdoor summer camp for children held on property located at 1750 Sandtown Road in Southwest Atlanta. Based upon the approval of this grant, my client The House of Love & Hope, Inc. moved forward with hosting the second summer camp. A copy of the notification letter regarding the award is attached hereto, in addition to a copy of the Application which contains your signature approving the same.

My office personally shepherded the grant through the State Department of Community Affairs, retrieved the Grant Contract from Mr. Stevens on September 24, 1999 and I personally delivered the contract to the appropriate individual in your office on the same day. I have called Mr. DeWayne Martin's office several times a day for the first two weeks that the contract was submitted and I have checked on its status occasionally since then. It is clear to me that this document has not been processed like the other grants which have been awarded by the State. It is also clear to me that my client's contract is intentionally being held up due to political reasons. This is unfortunate given the fact that the organization incurred costs to run the program. As you know, my clients were counting on this grant and they are the third party beneficiaries of the funds which are being held.

Mayor Campbell
November 4, 1999
Page Two

I am calling this situation directly to your attention, so that you can avoid the necessity of me having to file an action for breach of contract and detrimental reliance of a third party beneficiary. I will file the same within seven (7) days if the Grant Contract is not executed. My client has everything to lose, so it is interested in moving forward with commitments made to it as soon as possible.

If you have any questions regarding the above information, please contact me.

Sincerely,

JOHNSON, FREEMAN & PERKINS-HOOKER, LLC



Patrice M. Perkins-Hooker, Esq.

PPH/mwf
Enclosure

cc: Susan Langford, Esq.
Representative Pam Stanley
Eva Bates
Marie Crowser

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
ADVERSED
ON CONSENT
AGENDA**

1. 01-O-0306
2. 01-O-0445
3. 01-O-0449
4. 01-O-0450
5. 01-O-0098
6. 01-O-0178
7. 01-O-0302
8. 01-O-0367
9. 00-O-1987
10. 01-O-0448
11. 00-O-2069
12. 01-O-0446
13. 01-O-0187
14. 01-O-0294
15. 01-R-0411
16. 01-R-0412
17. 01-R-0413
18. 01-R-0414
19. 01-R-0420
20. 01-R-0421
21. 01-R-0475
22. 01-R-0428
23. 01-R-0429
24. 01-R-0477
25. 01-R-0220
26. 01-R-0430
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

39. 01-R-0397
40. 01-R-0398
41. 01-R-0399
42. 01-R-0400
43. 01-R-0401
44. 01-R-0402
45. 01-R-0403
46. 01-R-0404
47. 01-R-0405
48. 01-R-0406
49. 01-R-0407
50. 01-R-0408
51. 01-R-0409
52. 01-R-0410
53. 01-R-0433
54. 01-R-0434
55. 01-R-0435
56. 01-R-0436

57. 01-R-0437
 58. 01-R-0438
 59. 01-R-0375
 60. 01-R-0376
 61. 01-R-0377
 62. 01-R-0378
 63. 01-R-0379
 64. 01-R-0380
 65. 01-R-0381
 66. 01-R-0382
 67. 01-R-0383
 68. 01-R-0384
 69. 01-R-0385
 70. 01-R-0386
 71. 01-R-0387
 72. 01-R-0388
 73. 01-R-0389
 74. 01-R-0390
 75. 01-R-0391
 76. 01-R-0392
 77. 01-R-0393
 78. 01-R-0394
 79. 01-R-0395
 80. 01-R-0396
 81. 01-R-0440
 82. 01-R-0439
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