

Entered - 03/02/01 - sb
CL 01L0149 - GWENDOLYN BURNS

01-R-0502

CLAIM OF: KIMBERLY CALDWELL
1298 Thurgood Street, SW
Atlanta, Georgia 30314

ADOPTED BY
APR 02 2001
COUNCIL

For damages alleged to have been sustained as a result of a vehicular accident on February 11, 2001 at Northside Drive, NW and MLK, Jr. Drive, NW.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **KIMBERLY CALDWELL** the sum of **\$2,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a vehicular accident on February 11, 2001, at Northside Drive, NW and MLK, Jr. Drive, NW., as is more particularly set forth in the within claim; said sum taken from and charged to account LA01/529017/T31001, Settlement of Suits and Claims, Department of Law.

CERTIFIED
APR 02 2001
ATLANTA CITY COUNCIL PRESIDENT
James A. [Signature]

CERTIFIED
APR 02 2001

Rhonda Daphnie Johnson
MUNICIPAL CLERK

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

FAVORABLE REPORT BY:

P. S. L. A.

Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

Robert M. [Signature] OCA

DATE *3/27/01*

Chair Clela [Signature]
Sherry [Signature]
Michael [Signature]
[Signature]

APPROVED

APR 11 2001

WITHOUT SIGNATURE
BY OPERATION OF LAW



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

01-R-0502

A RESOLUTION

**BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Kimberly Caldwell** in the sum of **\$2,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of a **vehicular accident on February 11, 2001 at Northside Drive, NW and MLK, Jr. Drive, NW** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

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

APR 02, 2001

APR 11, 2001

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0149

Date: March 16, 2001

Claimant /Victim KIMBERLY CALDWELL
BY: (Atty) (Ins. Co.)
Address: 1298 Thurgood Street, SW, Atlanta, Georgia 30314
Subrogation: Claim for Property damage \$ 11,000.00 Bodily Injury \$
Date of Notice: 3/1/01 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 2/11/01 Place: Martin Luther King, Jr. Drive & Northside Drive
Department POLICE Division
Employee involved Chris Valle Disciplinary Action: Recommended Oral Admonishment - Pending Review

NATURE OF CLAIM: Claimant's vehicle sustained damage when it was struck by a city vehicle that "ran a red light".

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 - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 2,000.00 Adverse Account charged: 1A01 X 2J01 2H01
Claims Manager: Concur/date 3-16-01
Committee Action: Council Action

BULLS
03/01/01
Dm

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: 2/20/01

ENTERED - 3-2-01 - SB
01L0149 - GWEN BURNS

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 1,000 property and/or \$ _____ bodily injury for which I contend the City is liable.

- 1. Date of incident: 2/11/01 (month/day/year) 2. Time of Incident: 7:15 pm 3. Police called: Yes No
- 4. Location of incident (including street address): Corner MLK and Northside Dr
- 5. Name of your insurance company: Travelers Policy No. 941997707
- 6. State what and how incident occurred: Mazda was traveling east on MLK
The APD was traveling north on Northside Dr.
The APD ran a red light and struck my Mazda.

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: Mazda 626 96 S2DR Robert Chambers Jr
 (Make) (Year) (Tag Number) (Driver's Name)

City vehicle: 1997 Ford Victoria Chris Valle APD
 (Make) (City Driver's Name) (Department/Bureau)

9. Witness: Jarvis Don Antonio Williams 852 Heban St Atlanta Ga 4/619-2704
 (Name) (Address) (Telephone Number)

10. The acknowledgment 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 employee(s).

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.

Kimberly Calabrese
Signature of Claimant

Kimberly Calabrese
(Print Claimant's Name)

1298 Thurgood St SW
(Address)

Atlanta Ga 30314
(City, State and Zip Code)

770/851-8285 4/788-8203
(Work Number) (Home Number)

01-R-0502

RCS# 2775
4/02/01
2:17 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1 thru 13

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

ADOPT

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

Unanimous

| | | | |
|-----------|-----------|-----------|-------------|
| Y McCarty | Y Dorsey | Y Moore | Y Thomas |
| Y Starnes | Y Woolard | B 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-0345
01-O-0526
01-R-0541

CONSENT

**ITEMS ADOPTED ON
CONSENT AGENDA**

1. 01-O-0225
2. 01-O-0534
3. 01-O-0528
4. 01-O-0539
5. 01-O-0530
6. 01-O-0531
7. 01-R-0527
8. 99-R-2071
9. 01-R-0368
10. 01-R-0481
11. 01-R-0536
12. 01-R-0537
13. 01-R-0550
14. 01-R-0484
15. 01-R-0485
16. 01-R-0486
17. 01-R-0487
18. 01-R-0293
19. 01-R-0425
20. 01-R-0457
21. 01-R-0418
22. 01-R-0483
23. 01-R-0549
24. 01-R-0500
25. 01-R-0501
26. 01-R-0502
27. 01-R-0503
28. 01-R-0504
29. 01-R-0505
30. 01-R-0506
31. 01-R-0507
32. 01-R-0508

**ITEMS ADVERSED
ON CONSENT AGENDA**

33. 01-R-0509
 34. 01-R-0510
 35. 01-R-0511
 36. 01-R-0512
 37. 01-R-0513
 38. 01-R-0514
 39. 01-R-0515
 40. 01-R-0516
 41. 01-R-0517
 42. 01-R-0518
 43. 01-R-0519
 44. 01-R-0520
 45. 01-R-0521
 46. 00-R-1361
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