

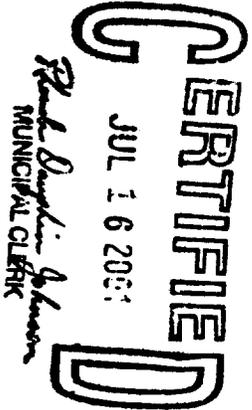
Entered - 2-7-00 - sb  
CL - 00L0062 - ALEXIS HOLMES

01- R-1034

CLAIM OF: **JAMES PATTERSON**  
636 Linwood Avenue, NE  
Atlanta, Georgia 30306

For damages alleged to have been sustained as a result of vehicular damage due to striking a herbie-curbie in his driveway on October 19, 1999 at 636 Linwood Avenue, NE.

THIS ADVERSE REPORT IS APPROVED



BY: Rosalind Rubens Newell  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

CONSENT AGENDA

ADVERSE BY  
CITY COUNCIL  
JUL 16 2001

### ADVERSE REPORT

PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE

DATE 07/10/01

CHAIR C. T. Mason

[Signature]  
[Signature]  
[Signature]  
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\_\_\_\_\_



**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**

July 26, 2001

James Patterson  
636 Linwood Avenue, N E  
Atlanta, Georgia 30306

**01-R-1034**

Dear Mr. Patterson:

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 July 16, 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*

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

**cc: Claims Division/Law Department**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 99L0062

Date: 6/22/01

Claimant /Victim JAMES PATTERSON

BY: (Atty/Ins.)

Address: 636 Linwood Avenue, NE Atlanta, Georgia 30306

Subrogation: Claim for Property damage \$ 588.94 Bodily Injury \$

Date of Notice: 2/2/00 Method: Written, proper X Improper

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

Date of Occurrence 10/19/99 Place: 636 Linwood Avenue, NE

Department Public Works Division: Sanitation Operations

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges that he sustained vehicular damage when City Sanitation workers left the herbie-curbie in the path of his driveway. He alleges that upon entering the driveway his vehicle caught the herbie-curbie, and it fell and scratched the right front passenger door. According to the departmental report, the herbie-curbie was not in the driveway when the claimant struck same. Furthermore, the claimant failed to provide proof of ownership for the vehicle.

INVESTIGATION:

Statements: City employee X Claimant Other Written X Oral

Pictures X 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,

Alexis Holmes

INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

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

Claims Manager: Concur/date 06-26-01

Committee Action: Council Action



RCS# 2995  
7/16/01  
2:24 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1 through 16

ADOPT

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

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

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

ITEM (S) REMOVED FROM  
CONSENT AGENDA

01-O-0992 01-R-1108  
01-O-0710 01-R-1041  
01-O-0711 01-R-1042  
01-O-1089 01-R-1043  
01-O-0995 01-R-1065

CONSENT

**ITEMS ADOPTED  
ON CONSENT  
AGENDA**

1. 01-O-1091
2. 01-O-0722
3. 01-O-0855
4. 01-O-0890
5. 01-O-0891
6. 01-O-0980
7. 01-O-0924
8. 01-O-1086
9. 01-O-1090
10. 01-O-0731
11. 01-O-0917
12. 01-R-1013
13. 01-R-1014
14. 01-R-1015
15. 01-R-1016
16. 01-R-1007
17. 01-R-1009
18. 01-R-1012
19. 01-R-1005
20. 01-R-1006
21. 01-R-1011
22. 01-R-1109
23. 01-R-1017
24. 01-R-1077
25. 01-R-1080
26. 01-R-1019
27. 01-R-1020
28. 01-R-1021
29. 01-R-1022
30. 01-R-1023
31. 01-R-1024
32. 01-R-1025
33. 01-R-1026
34. 01-R-1027
35. 01-R-1028
36. 01-R-1107

**ITEMS ADVERSED  
ON CONSENT  
AGENDA**

37. 01-R-1029
38. 01-R-1030
39. 01-R-1031
40. 01-R-1032
41. 01-R-1033
42. 01-R-1034
43. 01-R-1035
44. 01-R-1036
45. 01-R-1037
46. 01-R-1038
47. 01-R-1039
48. 01-R-1040
49. 01-R-1044
50. 01-R-1045
51. 01-R-1046
52. 01-R-1047
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67. 01-R-1062
68. 01-R-1063
69. 01-R-1064
70. 01-R-1066
71. 01-R-1067
72. 01-R-1068

**ITEMS ADVERSED  
ON CONSENT  
AGENDA**

73. 01-R-1069
  74. 01-R-1070
  75. 01-R-1071
  76. 01-R-1072
  77. 01-R-1073
  78. 01-R-1104
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