



Entered - 3-27-98- sb
CL - 98L0220 ALEXIS HOLMES

CLAIM OF: **AJYL PARKER**
2191 Campbellton Road
Atlanta, Georgia 30311

01-L-1166

For damages alleged to have been sustained due to a road widening construction project on November 28, 1997 at 2191 Campbellton Road.

THIS ADVERSE REPORT IS APPROVED

BY: Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

CONSENT AGENDA



ADVERSE REPORT
CITY COUNCIL
AUG 06 2001

ADVERSE REPORT

COMM: PS + LP
DATE: 7/31/11
CHAIR: C. T. Mandy
Michael J. Bell
John Smith
Henry Forsey
Walt J.
Cleta Hester



**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**

August 8, 2001

Ajyl Parker
2191 Campbellton Road
Atlanta, Georgia 30311

01-R-1166

Dear Mr. Parker:

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 August 6, 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. 98L0220

Date: 7/16/01

Claimant /Victim AJYL PARKER

BY: (Atty)

Address: 2191 Campbelton Road Atlanta, Georgia 30311

Subrogation: Claim for Property damage \$ 725.54 Bodily Injury \$

Date of Notice: 3/10/98 Method: Written, proper X Improper

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

Date of Occurrence 11/28/97 Place: 2191 Campbellton Road

Department Division:

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges that he sustained damages to his property when his electrical wiring was severed, and the power was cut due to road construction. An investigation determined that the road construction was performed by subcontractors for the State of Georgia Department of Transportation during a road widening project. Therefore, the City is not responsible for claimant's damages and the claim has been referred over to the subcontractor for the State of Georgia Department of Transportation.

INVESTIGATION:

Statements: City employee Claimant Other X Written Oral X

Pictures Diagrams Reports: Police Dept Report Other

Traffic citations issued: City Driver Claimant Driver X

Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental Ministerial

Improper Notice More than Six Months Other X 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,

Alexis Holmes

INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

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

Claims Manager: Concur/date 07-17-01

Committee Action: Council Action

RCS# 3033
8/06/01
2:56 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1-15

ADOPT

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 0

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

Unanimous

Y McCarty
Y Starnes
Y Bond
Y Winslow

Y Dorsey
Y Woolard
Y Morris
Y Muller

Y Moore
Y Martin
Y Maddox
Y Boazman

Y Thomas
Y Emmons
Y Alexander
NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA
01-O-1106
01-R-1200
01-R-1217

CONSENT

| ITEMS ADOPTED ON CONSENT AGENDA | ITEMS ADOPTED ON CONSENT AGENDA | ITEMS ADVERSED ON CONSENT AGENDA | ITEMS ADVERSED ON CONSENT AGENDA |
|--|--|---|---|
| 1. 01-O-1081 | 29. 01-R-1141 | 48. 01-R-1041 | 76. 01-R-1209 |
| 2. 01-O-1083 | 30. 01-R-1142 | 49. 01-R-1042 | 77. 01-R-1210 |
| 3. 01-O-1084 | 31. 01-R-1143 | 50. 01-R-1043 | 78. 01-R-1211 |
| 4. 01-O-1085 | 32. 01-R-1144 | 51. 01-R-1149 | 79. 01-R-1212 |
| 5. 01-O-1123 | 33. 01-R-1145 | 52. 01-R-1151 | 80. 01-R-1213 |
| 6. 01-O-1126 | 34. 01-R-1146 | 53. 01-R-1152 | |
| 7. 01-O-1105 | 35. 01-R-1147 | 54. 01-R-1153 | |
| 8. 01-O-1120 | 36. 01-R-1148 | 55. 01-R-1154 | |
| 9. 01-R-1130 | 37. 01-R-1189 | 56. 01-R-1155 | |
| 10. 01-R-1131 | 38. 01-R-1190 | 57. 01-R-1156 | |
| 11. 01-R-1132 | 39. 01-R-1191 | 58. 01-R-1157 | |
| 12. 01-R-1187 | 40. 01-R-1192 | 59. 01-R-1158 | |
| 13. 01-R-1188 | 41. 01-R-1193 | 60. 01-R-1159 | |
| 14. 01-R-1224 | 42. 01-R-1194 | 61. 01-R-1160 | |
| 15. 01-R-1227 | 43. 01-R-1195 | 62. 01-R-1161 | |
| 16. 01-R-1228 | 44. 01-R-1196 | 63. 01-R-1162 | |
| 17. 01-R-0103 | 45. 01-R-1197 | 64. 01-R-1163 | |
| 18. 01-R-1226 | 46. 01-R-1198 | 65. 01-R-1164 | |
| 19. 01-R-0971 | 47. 01-R-1199 | 66. 01-R-1165 | |
| 20. 01-R-1167 | | 67. 01-R-1166 | |
| 21. 01-R-1168 | | 68. 01-R-1201 | |
| 22. 01-R-1215 | | 69. 01-R-1202 | |
| 23. 01-R-1218 | | 70. 01-R-1203 | |
| 24. 01-R-1136 | | 71. 01-R-1204 | |
| 25. 01-R-1137 | | 72. 01-R-1205 | |
| 26. 01-R-1138 | | 73. 01-R-1206 | |
| 27. 01-R-1139 | | 74. 01-R-1207 | |
| 28. 01-R-1140 | | 75. 01-R-1208 | |
