

Entered - 5-17-01
CL 01L0318 ALEXIS HOLMES

CLAIM OF: **ATLANTA AIRPORT SUPERIOR SHUTTLE,**
Through their attorney,
Christopher P. Berney
Smith, White Sharma & Halpern
1126 Ponce de Leon Avenue, NE
Atlanta, Georgia 30306

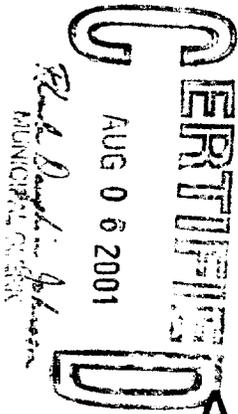
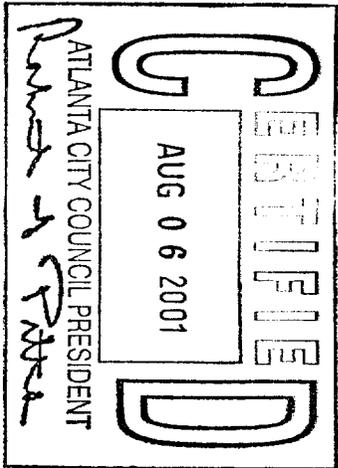
01-P.-1207

For damages alleged to have been sustained as a result of discrimination when the City failed to properly administer the Ground Transportation Authority on May 4, 2001 at Atlanta Hartsfield Airport.

THIS ADVERSE REPORT IS APPROVED

BY: Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

CONSENT AGENDA



ADVERSE REPORT

ADVERSE BY
CITY COUNCIL AUG 06 2001

COMM: PS+LA
DATE: 7/31/01
CHAIR: C. T. Martin
Mark Kelly
Danny Stahl
Albert J. Dowling
W. J. ...
Clara ...



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 14, 2001

Christopher P. Berney
Attorney at Law
1126 Ponce de Leon Ave., NE
Atlanta, GA 30306

01-R-1207

RE: Atlanta Airport Superior Shuttle

Dear Attorney Berney:

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 January 03, 2000. 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. 001L0318

Date: 7/12/01

Claimant /Victim ATLANTA AIRPORT SUPERIOR SHUTTLE
BY: (Atty) Christopher P. Berney, Smith, White, Sharma & Halpern
Address: 1126 Ponce de Leon Avenue, NE Atlanta, Georgia 30306
Subrogation: Claim for Property damage 1,000,000.00 Bodily Injury \$
Date of Notice: 5/11/01 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 5/4/01 Place: Atlanta Hartsfield Airport Ground Transportation
Department Aviation Division: Ground Transportation
Employee involved Winston Cooper Disciplinary Action: None taken

NATURE OF CLAIM: The claimant alleges that it sustained damages when the City failed to properly administer Ground Transportation at Hartsfield Airport. An investigation determined that shuttle spaces are not provided to companies based on solicitation, but are provided through the submission of the companies' requests based on the arrival and departure schedules of their customers, and clients. The City, pursuant to Code of Ordinance Section 22-281 (b)(1) is in compliance.

INVESTIGATION:

Statements: City employee X Claimant Other Written Oral X
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,

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 Dorsey | Y Moore | Y Thomas |
| Y Starnes | Y Woolard | Y Martin | Y Emmons |
| Y Bond | Y Morris | Y Maddox | Y Alexander |
| Y Winslow | Y Muller | Y Boazman | 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
2. 01-O-1083
3. 01-O-1084
4. 01-O-1085
5. 01-O-1123
6. 01-O-1126
7. 01-O-1105
8. 01-O-1120
9. 01-R-1130
10. 01-R-1131
11. 01-R-1132
12. 01-R-1187
13. 01-R-1188
14. 01-R-1224
15. 01-R-1227
16. 01-R-1228
17. 01-R-0103
18. 01-R-1226
19. 01-R-0971
20. 01-R-1167
21. 01-R-1168
22. 01-R-1215
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76. 01-R-1209
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78. 01-R-1211
79. 01-R-1212
80. 01-R-1213
