

Standing committees  
AGENDA  
ADOPTED BY  
DEC 3 2001  
COUNCIL

Entered - 10-17-01 - sb  
CL - 01L0668 ALEXIS HOLMES

01- R -1972

CLAIM OF: MIGUEL A. FERNANDEZ  
821 Bedford Park  
Peachtree City, Georgia 30269

For damages alleged to have been sustained as a result of a vehicular accident on August 13, 2001 at Freedom Parkway, NE and Interstate 75/85.

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 **MIGUEL A. FERNANDEZ** the sum of **\$1,261.10** 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 August 13, 2001 at Freedom Parkway, NE and Interstate 75/85** 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.

APPROVED: SUSAN PEASE LANGFORD  
CITY ATTORNEY

BY: *Rosalind Rubens Newell* by  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY *Robert N. Coffey CA*

CERTIFIED  
DEC 03 2001

FAVORABLE REPORT

PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE

DATE: \_\_\_\_\_  
BY: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

APPROVED

DEC 12 2001

WITHOUT SIGNATURE  
BY OPERATION OF LAW

ATLANTA CITY COUNCIL PRESIDENT  
DEC 3 2001  
*[Signature]*

DEPUTY MUNICIPAL CLERK  
*[Signature]*



**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

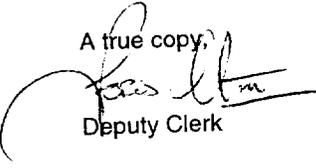
**01-R-1972**

**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 **Miguel A. Fernandez** in the sum of **\$1,261.10** 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 vehicle accident on August 13, 2001 at Freedom Parkway, NE and Interstate at 75/85** 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,

  
Deputy Clerk

**ADOPTED by the Council  
RETURNED WITHOUT SIGNATURE OF THE MAYOR  
APPROVED as per City Charter Section 2-403**

DEC 03, 2001

DEC 12, 2001

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0668

Date: 11/15/01

Claimant /Victim MIGUEL A. FERNANDEZ

BY: (Atty)(Ins.)

Address: 821 Bedford Park Peachtree City, Georgia 30269

Subrogation: Claim for Property damage \$ 1,261.10 Bodily Injury \$

Date of Notice: 10/12/01 Method: Written, proper X Improper

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

Date of Occurrence 8/13/01 Place: Freedom Parkway, NE at Interstate 75/85

Department Police Division: Field Operations

Employee involved Officer Darrell Lewis Dixon, Jr. Disciplinary Action: Oral Reprimand

NATURE OF CLAIM: The claimant's vehicle was damaged when it was rear-ended by a City of Atlanta vehicle being driven by a police officer who was following too closely.

INVESTIGATION:

Statements: City employee X Claimant Other X Written X Oral X

Pictures Diagrams X Reports: Police X Dept Report Other

Traffic citations issued: City Driver X Claimant Driver

Citation disposition: City Driver Pending Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial

Improper Notice More than Six Months Other Damages reasonable X

City not involved Offer rejected Compromise settlement

Repair/replacement by Ins. Co. Repair/replacement by City Forces

Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,

Alexis Holmes

INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

Pay \$ 1,261.10 Adverse Account charged: 1A01 X 2J01 2H01

Claims Manager: Concur/date 11-16-01

Committee Action: Council Action