

ADVERSE REPORT
CITY COUNCIL
JAN 22 2002

Entered - 11/01/01 - sb
CL01L0689 - DIANNE C. MITCHELL

CLAIM OF: AMEN-RA KAM KAM NIZAM
3235 McAfee Road
Decatur, Georgia 30032

02-R-0023

For damages alleged to have been sustained as a result of a parking ticket on October 10, 2001 at 142 Mitchell Street.

THIS ADVERSED REPORT IS APPROVED

CONSENT AGENDA

BY: Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

CERTIFIED
JAN 22 2002
ATLANTA CITY COUNCIL PRESIDENT
Catherine W. Hayward

CERTIFIED
JAN 22 2002
MUNICIPAL CLERK
Rosalind Rubens Newell

ADVERSE REPORT

COMM: P. S. L. A.
DATE: 1-15-02
CHAIR: _____
David Hunt
Natalie Kuchib
C. T. Martin



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

January 29, 2002

Amen-RA Kam Kam Nizam
3235 McAfee Road
Decatur, GA 30032

02-R-0023

Dear Ms. Nizam:

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 January 22, 2002. 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.

Sincerely,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0689

Date: November 20, 2001

Claimant /Victim AMEN-RA KAM KAM NIZAM

BY: (Atty)(Ins. Co.) _____

Address: 3235 McAfee Road, Decatur, Georgia 30032

Subrogation: _____ Claim for Property damage \$ Not Stated Bodily Injury \$ _____

Date of Notice: 10/31/01 Method: Written, proper X Improper _____

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

Date of Occurrence 10/10/01 Place: 142 Mitchell Street

Department Police Division: _____

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges he was wrongfully cited for an expired parking meter. The City is immune from liability as set forth in O.C.G.A. §36-33-1.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____

Pictures _____ Diagrams _____ Reports: Police _____ Dept Report _____ Other _____

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____

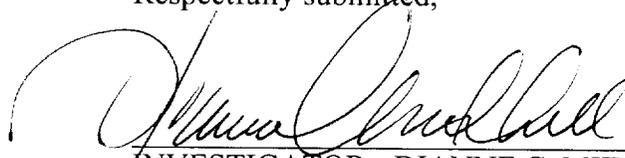
Improper Notice _____ More than Six Months _____ Other X Damages reasonable _____

City not involved _____ Offer rejected _____ Compromise settlement _____

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

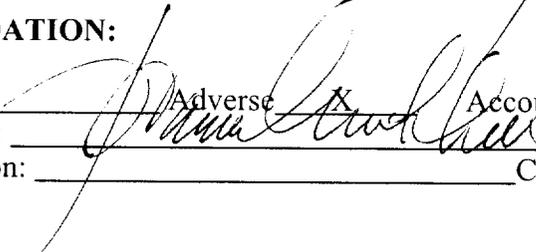
Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

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

Claims Manager:  Concur/date 11-21-01

Committee Action: _____ Council Action _____

RCS# 3405
1/22/02
1:28 PM

Atlanta City Council

Regular Session

CONSENT

Pages: 1 through 9

ADOPT

**SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA**

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

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT

01/22/02 Council Meeting

**ITEMS ADOPTED ON
CONSENT AGENDA**

1. 02-O-0085
2. 02-R-0003
3. 02-R-0007
4. 02-R-0008
5. 02-R-0009
6. 02-R-0036
7. 02-R-0038
8. 02-R-0010
9. 02-R-0031
10. 02-R-0032
11. 02-R-0033
12. 02-R-0034
13. 02-R-0094
14. 02-R-0095
15. 02-R-0096
16. 02-R-0097

**ITEMS ADVERSED ON
CONSENT AGENDA**

17. 02-R-0011
 18. 02-R-0012
 19. 02-R-0013
 20. 02-R-0014
 21. 02-R-0015
 22. 02-R-0016
 23. 02-R-0017
 24. 02-R-0018
 25. 02-R-0019
 26. 02-R-0020
 27. 02-R-0021
 28. 02-R-0022
 29. 02-R-0023
 30. 02-R-0024
 31. 02-R-0025
 32. 02-R-0026
 33. 02-R-0027
 34. 02-R-0028
 35. 02-R-0029
 36. 02-R-0030
 37. 02-R-0098
 38. 02-R-0099
 39. 02-R-0100
 40. 02-R-0101
 41. 02-R-0102
 42. 02-R-0103
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