

Entered - 02-09-01 sb
CL - 01L0115 - ALEXIS HOLMES

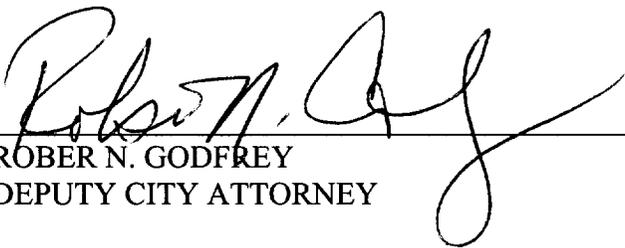
CLAIM OF: **JOSEPH FLAGG**
2891 Diana Drive, SW.
Atlanta, Georgia 30315

02-R-0323

For damages alleged to have been sustained as a result of a sewer back up on January 16, 2001 at 2891 Diana Drive, SW.

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 **JOSEPH FLAGG** the sum of **\$1,193.68** 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 sewer back up on January 16, 2001 at 2891 Diana Drive, SW as is more particularly set forth in the within claim; said sum taken from and charged to account 2J01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: ROSALIND RUBENS NEWELL
INTERIM CITY ATTORNEY

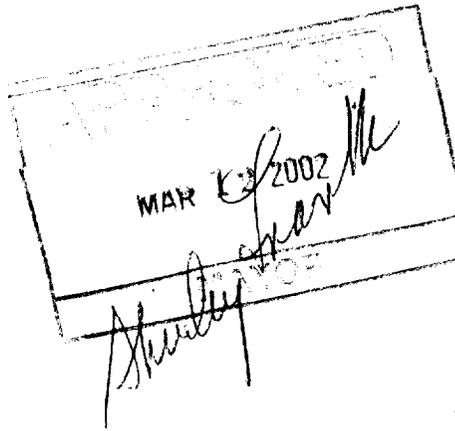
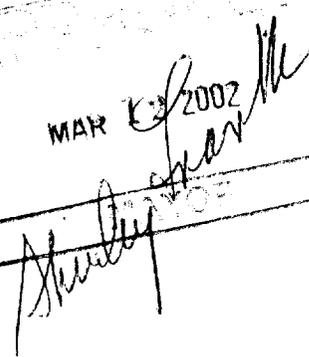
BY: 
ROBER N. GODFREY
DEPUTY CITY ATTORNEY

COMMENT AREA

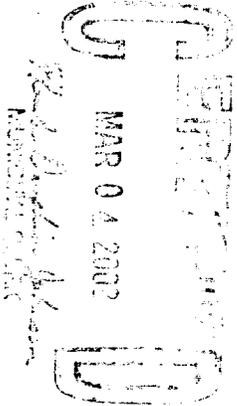
FAVORAB' REPORT

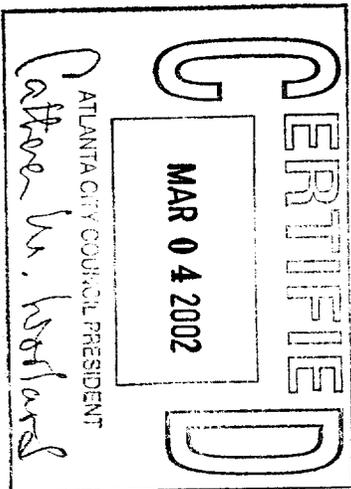
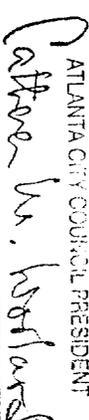
COMM _____
DATE _____
CHAIR _____


C. T. Martin


APPROVED
MAR 13 2002


ADOPTED BY
MAR 04 2002
COUNCIL


MAR 04 2002


CERTIFIED
MAR 04 2002
ATLANTA CITY COUNCIL PRESIDENT




CORRECTED COPY

**MUNICIPAL CLERK
ATLANTA, GEORGIA**

02-R-0323

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 **Joseph Flagg** in the sum of **\$1,193.68** 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 sewer back up on January 16, 2001 at 2891 Diana Drive, SW** as is more particularly set forth in the within claim; said sum taken from and charged to Account 2J019017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

MAR 04, 2002
MAR 12, 2002

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0115

Date: 6/22/01

Claimant /Victim JOSEPH FLAGG

BY: (Atty)(Ins.)

Address: 2891 Diana Drive, SW Atlanta, Georgia 30315

Subrogation Claim for Property damage \$ 1,193.68 Bodily Injury \$

Date of Notice: 1/31/01 Method: Written, proper X Improper

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

Date of Occurrence 1/16/01 Place: 2891 Diana Drive, SW

Department Public Works Division: Sewer Operations

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges that he sustained property damages to the basement of his home and to personal property when sewage from a City sewer line backed-up into his house. An investigation determined that an outfall sewer line was the source of the back-up. Furthermore, it was determined that the City had notice of problems at this location prior to the March 16, 2001 occurrence. The City has taken the necessary steps to repair the outfall sewer line.

INVESTIGATION:

Statements: City employee Claimant X Other Written X Oral

Pictures Diagrams Reports: Police Dept Report X Other

Traffic citations issued: City Driver Claimant Driver

Citation disposition: City 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 \$ 1,193.68 Adverse Account charged: 1A01 2J01 X 2H01

Claims Manager: Concur/date 02-13-02

Committee Action: Council Action

RCS# 3550
3/04/02
1:31 PM

Atlanta City Council

Regular Session

CONSENT I

Pgs.1-12;Except02-R-0348;02-R-0350;0380
02-R-0387;02-R-0347;02-O-0364;02-O-0249

ADOPT

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

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

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

ITEM (S) REMOVED FROM
CONSENT AGENDA
02-O-0364
02-O-0380
02-O-0249

CONSENT I

03/04/02 Council Meeting

**ITEMS ADOPTED
ON CONSENT
AGENDA**

1. 02-O-0370
2. 02-O-0155
3. 02-O-0200
4. 02-O-0243
5. 02-O-0374
6. 02-O-0371
7. 02-O-0372
8. 02-R-0348
9. 02-R-0350
10. 02-R-0387
11. 02-R-0199
12. 02-R-0209
13. 02-R-0353
14. 02-R-0367
15. 02-R-0383
16. 02-R-0386
17. 02-R-0327
18. 02-R-0328
19. 02-R-0329
20. 02-R-0330
21. 02-R-0331
22. 02-R-0333
23. 02-R-0334
24. 02-R-0339
25. 02-R-0325
26. 02-R-0326
27. 02-R-0345

**ITEMS ADOPTED
ON CONSENT
AGENDA**

28. 02-R-0203
29. 02-R-0365
30. 02-R-0315
31. 02-R-0316
32. 02-R-0317
33. 02-R-0318
34. 02-R-0319
35. 02-R-0320
36. 02-R-0321
37. 02-R-0322
38. 02-R-0323
39. 02-R-0284
40. 02-R-0285
41. 02-R-0286
42. 02-R-0287

**ITEMS ADVERSED
ON CONSENT
AGENDA**

43. 02-R-0288
44. 02-R-0289
45. 02-R-0290
46. 02-R-0291
47. 02-R-0292
48. 02-R-0293
49. 02-R-0294
50. 02-R-0295
51. 02-R-0296
52. 02-R-0297
53. 02-R-0298
54. 02-R-0299
55. 02-R-0301
56. 02-R-0302
57. 02-R-0303
58. 02-R-0304
59. 02-R-0305
60. 02-R-0306
61. 02-R-0307
62. 02-R-0308
63. 02-R-0309
64. 02-R-0310
65. 02-R-0311
66. 02-R-0312
67. 02-R-0313
68. 02-R-0314