

Entered - 04-26-00- sb
CL - 00L0264 - ALEXIS HOLMES

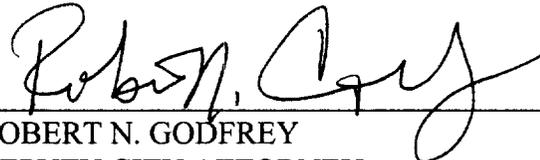
02-R-0415

CLAIM OF: **H.H. BENNING**
3656 Garrison Drive
Atlanta, Georgia 30331

For damages alleged to have been sustained as a result of a City vehicle spilling debris onto his vehicle on February 8, 2000 at Hill Street and Atlanta Avenue, SE.

Pursuant to Section 2-404 of the City Code, the City Attorney hereby approves and authorizes settlement of the above referenced claim by paying to **H.H. BENNING** the sum of **\$93.75** 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 City vehicle spilling debris onto his vehicle on February 8, 2000 at Hill Street and Atlanta Avenue, SE 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: ROSALIND RUBENS NEWELL
INTERIM CITY ATTORNEY

BY: 
ROBERT N. GODFREY
DEPUTY CITY ATTORNEY

FAVORABLE REPORT

COMM: Public Safety
DATE: 3/13/02
CHAIR: [Signature]
[Signature]
[Signature]
[Signature]
[Signature]

ADOPTED BY
MAR 1 8 2002
COUNCIL

CERTIFIED
MAR 1 8 2002
ATLANTA CITY COUNCIL PRESIDENT
Catherine W. Rosford

CERTIFIED
MAR 1 8 2002
MUNICIPAL CLERK
Rosalind Rubens Newell

MAR 26 2002
Shirley Franklin



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

02-R-0415

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 **H.H. Benning** in the sum of **\$93.75** 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 **City vehicle spilling debris onto his vehicle on February 8, 2000 at Hill Street and Atlanta Avenue, SE** 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,

Rhonda Daughkin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

MAR 18, 2002
MAR 26, 2002

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0264

Date: 02/14/02

Claimant/Victim H. H. BENNING
BY: (Atty)
Address: 3656 Garrison Drive Atlanta, Georgia 30331
Subrogation: Claim for Property damage \$ 93.75 Bodily Injury \$
Date of Notice: 4/7/00 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 2/8/00 Place: Hill Street and Atlanta Avenue, SE
Department Public Works Division: Sanitation Operations
Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges that he sustained vehicle damage when a City sanitation vehicle spilled debris onto his vehicle. It was determined in an investigation that the City driver did not remember the incident however, an independent eyewitness states that she was present when the incident occurred, and confirms the claimant's allegations.

INVESTIGATION:

Statements: City employee X Claimant X Other X Written Oral
Pictures Diagrams Reports: Police Dept Report Other X
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 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 \$ 93.75 Adverse Account charged: 1A01 X 2J01 2H01
Claims Manager: Concur/date 02-15-02
Committee Action: Council Action

RCS# 3628
3/18/02
3:49 PM

Atlanta City Council

Regular Session

CONSENT I Pgs 1-13; Except 02-O-0167; 02-O-0458

ADOPT

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

YEAS: 11
NAYS: 1
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

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

ITEM (S) REMOVED FROM
CONSENT AGENDA
02-O-0167
02-O-0458

CORRECTED COPY

**ITEMS ADOPTED
ON CONSENT
AGENDA**

1. 02-O-0361
2. 02-O-0456
3. 02-O-0465
4. 02-O-0466
5. 02-O-0468
6. 02-O-0469
7. 02-O-0335
8. 02-O-0336
9. 02-O-0462
10. 02-O-0342
11. 02-O-0378
12. 02-O-0251
13. 02-O-0324
14. 02-O-0346
15. 02-O-0254
16. 02-O-0352
17. 02-R-0165
18. 02-R-0382
19. 02-R-0407
20. 02-R-0483
21. 02-R-0484
22. 02-R-0194
23. 02-R-0482
24. 02-R-0252
25. 02-R-0388
26. 02-R-0391
27. 02-R-0409

**ITEMS ADOPTED
ON CONSENT
AGENDA**

28. 02-R-0446
29. 02-R-0448
30. 02-R-0449
31. 02-R-0472
32. 02-R-0395
33. 02-R-0406
34. 02-R-0412
35. 02-R-0413
36. 02-R-0414
37. 02-R-0415
38. 02-R-0416
39. 02-R-0417
40. 02-R-0418
41. 02-R-0419
42. 02-R-0420
43. 02-R-0421
44. 02-R-0422
45. 02-R-0423
46. 02-R-0447

**ITEMS ADVERSED
ON CONSENT
AGENDA**

47. 02-R-0410
48. 02-R-0411
49. 02-R-0424
50. 02-R-0425
51. 02-R-0426
52. 02-R-0427
53. 02-R-0428
54. 02-R-0429
55. 02-R-0430
56. 02-R-0431
57. 02-R-0432
58. 02-R-0433
59. 02-R-0434
60. 02-R-0435
61. 02-R-0436
62. 02-R-0437
63. 02-R-0438
64. 02-R-0439
65. 02-R-0440
66. 02-R-0441
67. 02-R-0442
68. 02-R-0443
69. 02-R-0444
70. 02-R-0445