02-R-0535

Entered - 02/27/02 - sb
CL02L0158 - DIANNE C. MITCHELL

ADOPTED BY
APR 01 2002
COUNCIL

CLAIM OF: **COTTON STATES INSURANCE COMPANY AS SUBROGEE OF EUGENE L. AND JOYCE BOESL, through their agent, Hyde-Lane P. O. Box 95328 Atlanta, Georgia 30347**

CERTIFIED
APR 1 2002
COUNCIL PRESIDENT PROTEM

For damages alleged to have been sustained as a result of a vehicular accident on May 8, 2001 at Martin Luther King, Jr. Drive and Fairburn Road.

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 **COTTON STATES INSURANCE COMPANY AS SUBROGEE OF EUGENE L. AND JOYCE BOESL, through their agent, Hyde-Lane** the sum of **$2,000.00** 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 May 8, 2001 at Martin Luther King, Jr. Drive and Fairburn Road 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.

CERTIFIED
APR 01 2002
MUNICIPAL CLERK

APPROVED: **ROSALIND RUBENS NEWELL**
INTERIM CITY ATTORNEY

BY: _____
ROBERT N. GODFREY
DEPUTY CITY ATTORNEY

FAVORABLE REPORT
PUBLIC SAFTEY &
LEGAL ADMINISTRATION COMMITTEE
DATE: 3/26/02
CHAIR:

APR 05 2002

MUNICIPAL CLERK
ATLANTA, GEORGIA

02-R-0535

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 **Cotton States Insurance Company as subrogee of Eugene L. and Joyce Boesl through their agent, Hyde-Lane** in the sum of **$2,000.00** 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 May 8, 2001 at Martin Luther King, Jr. Drive and Fairburn Road** 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 Dauphin Johnson
Municipal Clerk, CMC

ADOPTED by the Council APR 01, 2002
APPROVED by the Mayor APR 05, 2002

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. **02L0158** Date: March 8, 2002

Claimant/Victim **COTTON STATES INSURANCE AS SUBROGEE OF EUGENE L. AND JOYCE BOESL**
BY: (Agent) Hyde-Lane
Address: P. O. Box 95328, Atlanta, Georgia 30347
Subrogation: X Claim for Property damage $ **3,332.44** Bodily Injury $ _____
Date of Notice: 05/21/01 Method: Written, proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 05/08/01 Place: Martin Luther King Jr. Drive and Fairburn Road
Department Public Works Division: Sewer Operations
Employee involved Keith B. Bigby Disciplinary Action: No Action Taken

NATURE OF CLAIM: The City employee parked the City vehicle away from other vehicles in the parking lot at the above location, while the employee was in the business at this location, the vehicle rolled into the claimant's parked vehicle causing damages in the above amount.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____
Pictures X Diagrams _____ Reports: Police X 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 _____ Damages reasonable _____
City not involved _____ Offer rejected _____ Compromise settlement X
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,

INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay $ **2,000.00** Adverse _____ Account charged: 1A01 _____ 2J01 X 2H01 _____

Claims Manager: _____ Concur/date 03-08-02
Committee Action: _____ Council Action _____

FORM 23-61

RCS# 3635
4/01/02
2:42 PM

Atlanta City Council

Regular Session

CONSENT I

Except;02-R-0531;02-R-0499;R-0497;R-0561
02-R-0498;02-R-0588;02-R-0589;02-R-0513
ADOPT

SEE ATTACHED LISTING OF ITEMS ADOPTED/ADVERSED ON CONSENT AGENDA

YEAS:	14
NAYS:	0
ABSTENTIONS:	0
NOT VOTING:	1
EXCUSED:	0
ABSENT	1

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

ITEM (S) REMOVED FROM CONSENT AGENDA

02-R-0497
02-R-0498
02-R-0499
02-R-0513
02-R-0531
02-R-0561
02-R-0589

CORRECTED COPY

		04/01/02 Council Meeting
ITEMS ADOPTED ON CONSENT AGENDA	**ITEMS ADOPTED ON CONSENT AGENDA**	**ITEMS ADVERSED ON CONSENT AGENDA**
1. 02-O-0562	34. 02-R-0486	63. 02-R-0514
2. 02-O-0564	35. 02-R-0511	64. 02-R-0515
3. 02-O-0566	36. 02-R-0587	65. 02-R-0516
4. 02-O-0568	37. 02-R-0492	66. 02-R-0517
5. 02-O-0582	38. 02-R-0493	67. 02-R-0536
6. 02-O-0389	39. 02-R-0557	68. 02-R-0537
7. 02-O-0392	40. 02-R-0521	69. 02-R-0538
8. 02-O-0390	41. 02-R-0522	70. 02-R-0539
9. 02-O-0458	42. 02-R-0523	71. 02-R-0540
10. 02-O-0394	43. 02-R-0524	72. 02-R-0541
11. 02-O-0397	44. 02-R-0525	73. 02-R-0542
12. 02-O-0399	45. 02-R-0526	74. 02-R-0543
13. 02-O-0400	46. 02-R-0527	75. 02-R-0544
14. 02-O-0401	47. 02-R-0528	76. 02-R-0545
15. 02-O-0402	48. 02-R-0529	77. 02-R-0546
16. 02-O-0403	49. 02-R-0530	78. 02-R-0547
17. 02-O-0404	50. 02-R-0567	79. 02-R-0548
18. 02-O-0405	51. 02-R-0588	80. 02-R-0549
19. 02-O-0408	52. 02-R-0518	81. 02-R-0550
20. 02-R-0464	53. 02-R-0556	82. 02-R-0551
21. 02-R-0494	54. 02-R-0558	83. 02-R-0552
22. 02-R-0495	55. 02-R-0585	84. 02-R-0553
23. 02-R-0496	56. 02-R-0586	85. 02-R-0554
24. 02-R-0500	57. 02-R-0349	86. 02-R-0555
25. 02-R-0560	58. 02-R-0506	
26. 02-R-0569	59. 02-R-0532	
27. 02-R-0570	60. 02-R-0533	
28. 02-R-0571	61. 02-R-0534	
29. 02-R-0572	62. 02-R-0535	
30. 02-R-0573		
31. 02-R-0574		
32. 02-R-0595		
33. 02-R-0596		