

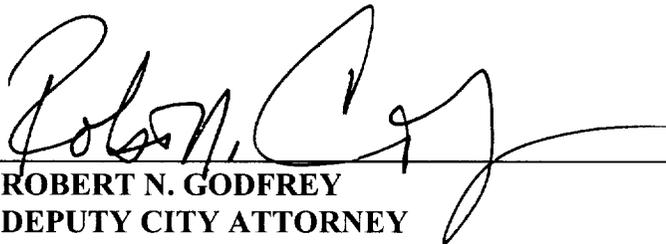
Entered - 03/13/02 - sb
CL02L0188 - DIANNE C. MITCHELL

02-R-0626

CLAIM OF: **RONALD E. TAYLOR**
430 Boulevard Drive, NE
#003
Atlanta, Georgia 30308

For damages alleged to have been sustained as a result of personal injuries due to a beam from an arbor falling on him on February 12, 2002 at Central Park.

THIS ADVERSED REPORT IS APPROVED

BY: 
ROBERT N. GODFREY
DEPUTY CITY ATTORNEY

CONSENT AGENDA

ADVERSED BY
CITY COUNCIL MAY 06

ADVERSE REPORT

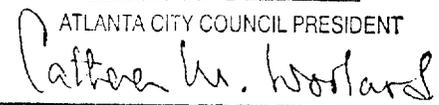
COMM: Public Safety

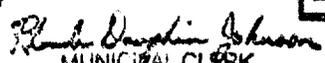
DATE: 4/9/02

CHAIR: 





CERTIFIED
MAY 06 2002
ATLANTA CITY COUNCIL PRESIDENT


CERTIFIED
MAY 06 2002

MUNICIPAL CLERK



**CITY OF ATLANTA
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

May 20, 2002

FORIS WEBB, III
DEPUTY MUNICIPAL CLERK

Ronald E. Taylor
430 Boulevard Dr., Ne
Apartment 003
Atlanta, GA 30308

02-R-0626

Dear Mr. Taylor:

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 May 6, 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. 02L0188

Date: March 22, 2002

Claimant /Victim RONALD E. TAYLOR

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

Address: 430 Boulevard Drive, NE, #003, Atlanta, Georgia 30308

Subrogation: _____ Claim for Property damage \$ 298.30 Bodily Injury \$ 100.00

Date of Notice: 03/05/02 Method: Written, proper X Improper _____

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

Date of Occurrence 02/12/02 Place: Central Park

Department PRCA Division: Parks

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges he was injured when a beam from a wooden arbor fell on his head. The investigation determined that the City had no notice of any problems with the arbor prior to the incident involving the claimant. The City is immune from liability as set forth in O.C.G.A. §36-33-1.

INVESTIGATION:

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

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 _____

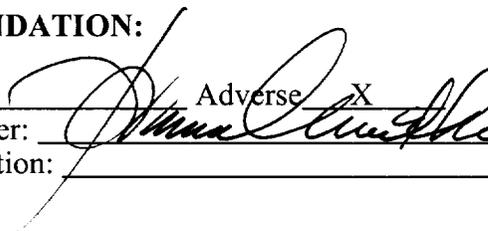
Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

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

Claims Manager:  Concur/date 03/22/02

Committee Action: _____ Council Action _____

RCS# 3723
5/06/02
4:03 PM

Atlanta City Council

Regular Session

CONSENT I

Pgs. 1-14: Except 02-R-0507; 02-O-0668
02-R-0701; 02-O-0594; 02-O-0675; 0584
ADOPT

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

**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
B Winslow	Y Muller	Y Boazman	NV Woolard

**ITEM (S) REMOVED FROM
CONSENT AGENDA**

**02-R-0701
02-O-0584
02-O-0594
02-O-0675
02-O-0668**

CONSENT I

05/06/02 Council Meeting

ITEMS ADOPTED ON CONSENT AGENDA

ITEMS ADOPTED ON CONSENT AGENDA

ITEMS ADVERSED ON CONSENT AGENDA

1. 02-O-0666
2. 02-O-0678
3. 02-O-0681
4. 02-O-0684
5. 02-O-0487
6. 02-O-0491
7. 02-O-0686
8. 02-O-0687
9. 02-O-0688
10. 02-O-0086
11. 02-O-0672
12. 02-O-0689
13. 02-O-0563
14. 02-O-0673
15. 02-O-0674
16. 02-R-0512
17. 02-R-0680
18. 02-R-0598
19. 02-R-0697
20. 02-R-0600
21. 02-R-0658
22. 02-R-0702
23. 02-R-0480
24. 02-R-0507
25. 02-R-0501
26. 02-R-0604
27. 02-R-0704
28. 02-R-0607
29. 02-R-0608
30. 02-R-0609
31. 02-R-0610
32. 02-R-0611
33. 02-R-0612

34. 02-R-0613
35. 02-R-0614
36. 02-R-0615
37. 02-R-0616
38. 02-R-0617
39. 02-R-0618
40. 02-R-0619
41. 02-R-0620
42. 02-R-0621
43. 02-R-0622
44. 02-R-0623
45. 02-R-0624
46. 02-R-0700

47. 02-R-0625
 48. 02-R-0626
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 73. 02-R-0651
 74. 02-R-0652
 75. 02-R-0653
 76. 02-R-0654
 77. 02-R-0655
 78. 02-R-0656
 79. 02-R-0657
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