

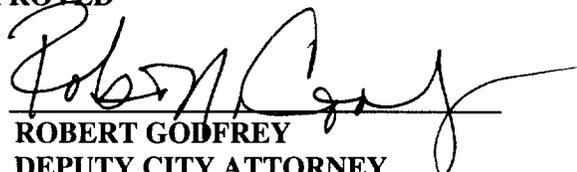
Entered -10-17-00 - sb  
CL 00L0628 - GWENDOLYN BURNS

CLAIM OF: JOHN B. RIGG, III  
685 Argonne Avenue, NE #1  
Atlanta, Georgia 30308

02- R -0649

For vehicular damages sustained due to a construction site in the road that was left open and in an unsafe condition on September 22, 2000 at 790 Ponce de Leon Avenue, NE.

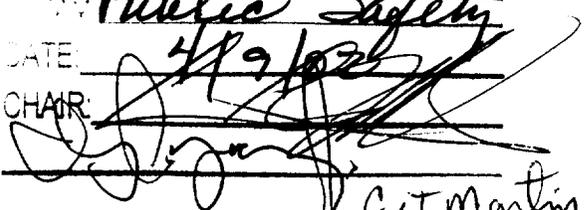
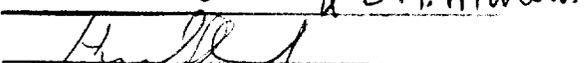
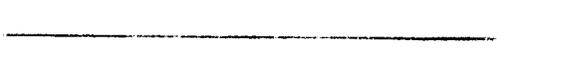
THIS ADVERSED REPORT IS APPROVED

BY:   
ROBERT GODFREY  
DEPUTY CITY ATTORNEY

ADVERSED BY  
CITY COUNCIL MAY 06

CONSENT AGENDA

CERTIFIED  
MAY 06 2002  
ATLANTA CITY COUNCIL PRESIDENT  
*Catherine W. Woodard*

ADVERSE REPORT  
Public Safety  
DATE: *4/9/02*  
CHAIR:   
C.T. Martin  
  
  
  


CERTIFIED  
MAY 06 2002  
*Rhonda Dawson Johnson*  
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 21, 2002

FORIS WEBB, III  
DEPUTY MUNICIPAL CLERK

John B. Rigg, III  
685 Aargonne Ave., NE  
Apartment 1  
Atlanta, GA 30308

**02-R-0649**

Dear Mr. Rigg:

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. 00L0628

Date: March 26, 2002

Claimant /Victim JOHN B. RIGG, III
BY: (Atty) (Ins. Co.)
Address: 685 Argonne Avenue, NE, Atlanta, Georgia 30308
Subrogation: Claim for Property damage \$ 74.99 Bodily Injury \$
Date of Notice: 10/16/00 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 9/22/00 Place: 790 Ponce de Leon Avenue, NE
Department Division
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant sustained vehicular damages when he drove through a construction site in the roadway that was left open and in an unsafe condition. An investigation determined that United Water Services Atlanta, Inc. was responsible for the road construction. The claim has been forwarded and resolved by United Water Services Atlanta, Inc.

INVESTIGATION:

Statements: City employee Claimant Others 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 Ministerial
Improper Notice More than Six Months Other X Damages reasonable
City not involved X Offer rejected Compromise settlement
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,

INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01
Claims Manager: Concur/date 03-27-02
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

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**05/06/02 Council Meeting**

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**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
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34. 02-R-0613
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36. 02-R-0615
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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
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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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