

Entered - 02-27-02 - sb
CL 02L0164 - GWENDOLYN BURNS

CLAIM OF: **CYNTHIA B. SMITH**
1019 Grant Terrace, SE
Atlanta, Georgia 30315

02-*R*-0735

ADOPTED BY
MAY 20 2002
COUNCIL

For vehicular damages alleged to have been sustained from an automobile accident on November 26, 2001 at 1286 Hill Street, SE & Nolan Street, SE.

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 **CYNTHIA B. SMITH** the sum of **\$967.10** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained from an automobile accident on November 26, 2001 at 1286 Hill Street, SE & Nolan Street, SE 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: *Robert N. Godfrey*
ROBERT N. GODFREY
DEPUTY CITY ATTORNEY

APPROVED
MAY 28 2002
Stanley Frank
MAYOR

FAVORABLE REPORT

COMM: *Public Safety*
DATE: *5-14-02*
CHAIR:
Katrina Anderson
[Signature]
Cate Martin
[Signature]
[Signature]
[Signature]

CERTIFIED
MAY 20 2002
ATLANTA CITY COUNCIL PRESIDENT
Catherine W. Boatland

CERTIFIED
MAY 20 2002
CONSENT AGENDA
MAYOR'S OFFICE
MAYOR'S CLERK
[Signature]



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

02-R-0735

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 **Cynthia B. Smith** in the sum of **\$967.10** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained from an automobile **accident on November 26, 2001 at 1286 Hill Street, SE & Nolan Street, 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 Daughin Johnson
Municipal Clerk, OMC

ADOPTED by the Council
APPROVED by the Mayor

MAY 20, 2002
MAY 28, 2002

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0164

Date: May 2, 2002

Claimant /Victim CYNTHIA B. SMITH
BY: (Atty) (Ins. Co.)
Address: 1019 Grant Terrace, SE, Atlanta, Georgia 30315
Subrogation: Claim for Property damage \$ 1,584.00 Bodily Injury \$
Date of Notice: 2/14/02 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 11/26/02 Place: 1286 Hill Street, SE & Nolan Street, SE
Department PUBLIC WORKS Division Sewer Operations
Employee involved Brian Bigby Disciplinary Action: Pending Review

NATURE OF CLAIM: Claimant's vehicle sustained damage when it was backed into by a city vehicle. The City employee was cited for "improper backing".

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police X Dept Report Other
Traffic citations issued: City Driver X Claimant Driver
Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial
Improper Notice More than Six Months Other Damages reasonable X
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,

Gwendolyn Burns
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 967.10 Adverse Account charged: 1A01 2J01 X 2P01 2H01
Claims Manager: Concur/date
Committee Action: Council Action

RCS# 3731
5/20/02
2:33 PM

Atlanta City Council

Regular Session

CONSENT I PGS. 1-15: Except 02-O-0852; 02-R-0729

ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

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

CONSENT I

CONSENT AGENDA MAY 20, 2002

ITEMS ADOPTED ON THE
CONSENT AGENDA

02-R-0813 02-R-0753
02-R-0812 02-R-0754
02-R-0807 02-R-0755
02-R-0805 02-R-0756
02-R-0721 02-R-0757
02-R-0504 02-R-0758
02-R-0808 02-R-0759
02-R-0708 02-R-0760
02-R-0707 02-R-0761
02-R-0882
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02-R-0706
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02-R-0888
02-R-0887
02-R-0733
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02-O-0846
02-O-0830
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02-O-0606
02-O-0605
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02-O-0601
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02-O-0835
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02-R-0735
02-R-0752

ITEMS ADVERSED ON THE
CONSENT AGENDA

02-R-0762
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