Entered -06-11-01 sb
CL 01L0367 - GWENDOLYN BURNS

CLAIM OF:

PATRICIA ANDERSON
383 Ralph McGill Boulevard, NE, #J
Atlanta, Georgia 30312

02- R -0778

For damages alleged to have been sustained when an automobile drove over debris that was left in the roadway on May 16, 2001 at 137 Boulevard, NE.

THIS ADVERSED REPORT IS
APPROVED

CONSENT AGENDA

BY: _____
Robert N. Godfrey
DEPUTY CITY ATTORNEY

ADVERSED BY CITY COUNCIL MAY 2 0

CERTIFIED
MAY 2 0 2002

CERTIFIED
MAY 2 0

ADVERSE REPORT
COMM: Public Safety
DATE: 5/14/02
CHAIR:
Carla Smith
Cleta Winslow
Howard Shook
C. T. Martin
Jim Maddox
Natalyn Archibong

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 31, 2002

Patricia Anderson
383 Ralph McGill Boulevard, NE
Apartment J
Atlanta, GA 30312

02-R-0778

Dear Ms. Anderson:

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 20, 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. 01L0367 Date: May 2, 2002

Claimant /Victim **PATRICIA ANDERSON**
BY: (Atty) (Ins. Co.)
Address: 838 Ralph McGill Boulevard, NE, #J, Atlanta, Georgia 30312
Subrogation: _____ Claim for Property damage $_____ Bodily Injury $ _____
Date of Notice: 6/6/01 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 5/16/01 Place: 137 Boulevard, NE
Department PUBLIC WORKS Division Street
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant alleges that she sustained vehicular damage when she drove over a piece of concrete that was left in the roadway. An investigation determined that the City did not have notice of the debris in the street prior to the incident date.

INVESTIGATION:

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

BASIS OF RECOMMENDATION:

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

Gwendolyn Burns
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay $ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2P01 _____ 2H01 _____
Claims Manager: _____ Concur/date 05-03-02
Committee Action: _____ Council Action _____

FORM 23-61

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

ta City Council

ular Session

CONSENT I [illegible]-0852; 02-R-0729

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

Y	Smith	Moore	Y	Mitchell
Y	Starnes	Martin	Y	Norwood
NV	Young	Maddox	B	Willis
Y	Winslow	Boazman	NV	Woolard

CONSENT I

CONSENT AGENDA MAY 20, 2002

ITEMS ADOPTED ON THE CONSENT AGENDA

02-R-0813
02-R-0812
02-R-0807
02-R-0805
02-R-0721
02-R-0504
02-R-0808
02-R-0708
02-R-0707
02-R-0882
02-R-0881
02-R-0809
02-R-0798
02-R-0797
02-R-0732
02-R-0706
02-R-0724
02-R-0802
02-R-0888
02-R-0887
02-R-0733
02-R-0731
02-R-0728
02-R-0727
02-O-0846
02-O-0830
02-O-0703
02-O-0699
02-O-0671
02-O-0606
02-O-0605
02-O-0833
02-O-0601
02-O-0488
02-O-0836
02-O-0845
02-O-0844
02-O-0843
02-O-0835
02-O-0834
02-O-0603
02-R-0735
02-R-0752
02-R-0753
02-R-0754
02-R-0755
02-R-0756
02-R-0757
02-R-0758
02-R-0759
02-R-0760
02-R-0761

ITEMS ADVERSED ON THE CONSENT AGENDA

02-R-0762
02-R-0763
02-R-0764
02-R-0765
02-R-0766
02-R-0767
02-R-0768
02-R-0769
02-R-0770
02-R-0771
02-R-0772
02-R-0773
02-R-0774
02-R-0775
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02-R-0786
02-R-0787
02-R-0788
02-R-0789
02-R-0790
02-R-0792
02-R-0793
02-R-0794
02-R-0795
02-R-0796