

5/25/02
A RESOLUTION

BY PUBLIC SAFETY AND LEGAL
ADMINISTRATION COMMITTEE

**A RESOLUTION AUTHORIZING PAYMENT IN THE
AMOUNT OF \$7,736.00 IN SETTLEMENT OF THE CLAIM
OF JEFFERY B. HAMBRICK AGAINST THE CITY OF
ATLANTA**

WHEREAS, Jeffrey B. Hambrick has filed a claim against the City of Atlanta seeking damages arising out of a collision between his dump truck and a City garbage truck operated by Anthony Epps, an employee of the Bureau of Solid Waste Services; and

WHEREAS, the collision occurred as a result of the City employee losing control of the truck and sliding into Mr. Hambrick's truck; and

WHEREAS, the Bureau of Solid Waste Services performs ministerial functions and therefore this claim is not subject to a defense of sovereign immunity under the laws of the State of Georgia; and

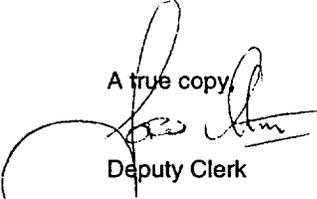
WHEREAS, the claimant has asserted damages in the amount of \$8,500.00, but has agreed to accept the sum of \$7,736.00 in full and complete satisfaction and settlement of his claim against the City of Atlanta; and

WHEREAS, the City Attorney has recommended that the claim of Jeffrey B. Hambrick be settled for the sum of \$7,736.00.

THEREFORE, BE IT RESOLVED that the Council of the City of Atlanta, Georgia that \$7,736.00 be paid by the City of Atlanta in satisfaction of any and all claims Jeffrey B. Hambrick may have stemming from damages sustained to his vehicle as a result of a vehicular accident that occurred on or about March 28, 2002 at the Live Oak Landfill.

BE IT FURTHER RESOLVED that the Chief Financial Officer be and hereby authorized to pay the above mentioned sum from account number 2P01/529017/T33301.

A true copy,


Deputy Clerk

ADOPTED by the Council
APPROVED by the Mayor

JUN 17, 2002
JUN 20, 2002

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0279

Date: May 29, 2002

Claimant /Victim JEFFREY B. HAMBRICK

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

Address: 985 Mills Drive, Covington, Georgia 30015

Subrogation: _____ Claim for Property damage \$ 8,500.00 Bodily Injury \$ _____

Date of Notice: 04/04/02 Method: Written, proper X Improper _____

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

Date of Occurrence 03/28/02 Place: Live Oak Landfill

Department Public Works Division Solid Waste Services

Employee involved Anthony Epps Disciplinary Action: Pending

NATURE OF CLAIM: The driver of the City garbage truck lost control of the truck and slid into the claimant's dump truck causing damages in the above amount.

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 X

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

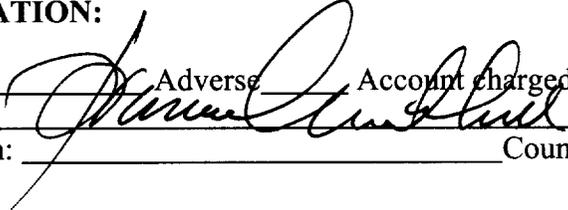
Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 7,736.00 Adverse _____ Account charged: 1A01 _____ 2J01 _____ 2H01 _____ 2P01 X

Claims Manager:  Concur/date 05-29-02

Committee Action: _____ Council Action _____

06/17/02 Council Meeting

**ITEMS ADOPTED ON
CONSENT AGENDA**

1. 02-O-0973
2. 02-O-1036
3. 02-O-0908
4. 02-O-0909
5. 02-O-0956
6. 02-O-1029
7. 02-O-1043
8. 02-R-1000
9. 02-R-1001
10. 02-R-1002
11. 02-R-1003
12. 02-R-1016
13. 02-R-1033
14. 02-R-0676
15. 02-R-1018
16. 02-R-1019
17. 02-R-1069
18. 02-R-1070
19. 02-R-1030
20. 02-R-0978
21. 02-R-0979
22. 02-R-0980
23. 02-R-0981
24. 02-R-0982
25. 02-R-0983
26. 02-R-0984
27. 02-R-0985
28. 02-R-0986

**ITEMS ADVERSED ON
CONSENT AGENDA**

29. 02-R-0987
30. 02-R-0988
31. 02-R-0989
32. 02-R-0990
33. 02-R-0991
34. 02-R-0992
35. 02-R-0993
36. 02-R-0994
37. 02-R-0995
38. 02-R-0996
39. 02-R-0997
40. 02-R-0998
41. 02-R-0999

02-R -1001

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APPROVED BY:

Robert N. Godfrey
ROBERT N. GODFREY
DEPUTY CITY ATTORNEY

JUN 17 2002

COUNCIL

- CONSENT REFER
REGULAR REPORT REFER
ADVERTISE & REFER
1st ADOPT 2nd READ & REFER
PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee
Date
Chair
Referred to

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

2nd 1st & 2nd 3rd

Readings

Consent V Vote RC Vote

CERTIFIED

CERTIFIED JUN 17 2002

ATLANTA CITY COUNCIL PRESIDENT

Catherine W. Woodard

CERTIFIED JUN 17 2002

Municipal Clerk

MAYOR'S ACTION

APPROVED
Shirley Franklin
JUN 20 2002
MAYOR