

CONSENT AGENDA

Entered - 03-13-02 - sb  
CL 02L0201 - GWENDOLYN BURNS

CLAIM OF: **ESTHER K. LOFTON**  
4698 Greenleaf Circle, SW  
Atlanta, Georgia 30331

02-R-1074

For property damages alleged to have been sustained from a sewer backup on February 24, 2002 at 4698 Greenleaf Circle, SW.

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 **ESTHER K. LOFTON** the sum of **\$700.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for property damages alleged to have been sustained from a sewer backup on February 24, 2002 at 4698 Greenleaf Circle, SW 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.

ADOPTED BY  
JUL 01 2002  
COUNCIL

CERTIFIED  
JUL 01 2002  
ATLANTA CITY COUNCIL PRESIDENT  
*Cathie M. Hubbard*

APPROVED:  
ROSALIND RUBENS NEWELL  
INTERIM CITY ATTORNEY

BY: *Rosalind Rubens Newell*  
ROBERT N. GODFREY  
DEPUTY CITY ATTORNEY

**FAVORABLE REPORT**

COMM: PSLA

DATE: JUN 25 2002

CHAIR: \_\_\_\_\_

*Cleopatra King*

*Stacy Mitchell*

*C. T. Martin*

*Harold Smith*

*Carla Smith*

APPROVED  
*Harley*  
JUL - 9 2002  
MAYOR

CERTIFIED  
JUL 01 2002  
Rosalind Rubens Newell  
MUNICIPAL CLERK



**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

**02-R-1074**

**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 **Esther K. Lofton** in the sum of **\$700.00** 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 a sewer backup on **February 24, 2002 at 4698 Greenleaf Circle, SW** 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.

A true copy,

*Rhonda Daughkin Johnson*  
Municipal Clerk, CMC

**ADOPTED by the Council  
APPROVED by the Mayor**

JULY 01, 2002  
JULY 09, 2002

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0201

Date: June 11, 2002

Claimant /Victim ESTHER K. LOFTON
BY: (Atty) (Ins. Co.)
Address: 4698 Greenleaf Circle, SW, Atlanta, Georgia 30331
Subrogation: Claim for Property damage \$ 700.00 Bodily Injury \$
Date of Notice: 3/5/02 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 2/24/02 Place: 4698 Greenleaf Circle, SW
Department PUBLIC WORKS Division Sewer Operations
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant sustained property damage to her home from a sanitary sewer back up. An investigation determined that the City was on notice of said problem but failed to permanently correct it.

INVESTIGATION:

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

Respectfully submitted,

INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 700.00 Adverse Account charged: 1A01 2J01 X 2P01 2H01
Claims Manager: Concur/date 06-12-02
Committee Action Council Action



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**07/01/02 Council  
Meeting**

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**ITEMS ADOPTED ON  
CONSENT AGENDA**

**ITEMS ADOPTED ON  
CONSENT AGENDA**

**ITEMS  
ADVERSED  
ON CONSENT  
AGENDA**

1. 02-O-0718
2. 02-O-1021
3. 02-O-1022
4. 02-O-1119
5. 02-O-1142
6. 02-O-0602
7. 02-O-1013
8. 02-O-1148
9. 02-O-0864
10. 02-O-1017
11. 02-O-1020
12. 02-R-1143
13. 02-R-1104
14. 02-R-1120
15. 02-R-1121
16. 02-R-1122
17. 02-R-0470
18. 02-R-0810
19. 02-R-1182
20. 02-R-1118
21. 02-R-1146
22. 02-R-1177
23. 02-R-1179
24. 02-R-1101
25. 02-R-1102
26. 02-R-1103
27. 02-R-1145
28. 02-R-1134
29. 02-R-1135
30. 02-R-1136
31. 02-R-1176
32. 02-R-1072
33. 02-R-1073

34. 02-R-1074
35. 02-R-1075
36. 02-R-1124
37. 02-R-1125
38. 02-R-1126

39. 02-R-1076
  40. 02-R-1077
  41. 02-R-1078
  42. 02-R-1079
  43. 02-R-1080
  44. 02-R-1081
  45. 02-R-1082
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  62. 02-R-1099
  63. 02-R-1127
  64. 02-R-1128
  65. 02-R-1129
  66. 02-R-1130
  67. 02-R-1131
  68. 02-R-1132
  69. 02-R-1133
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