

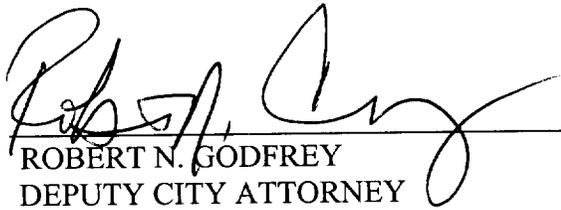
Entered - 07-23-01 - sb
CL - 01L0476 - ALEXIS HOLMES

02-R-1317

CLAIM OF: **MEEKELL BENFORD**
134 Chappell Road, SW
Atlanta, Georgia 30334

For damages alleged to have been sustained as a result of a City worker disposing of her personal trash container on May 15, 2001 at 134 Chappell Road SW.

THIS ADVERSE REPORT IS APPROVED

BY: 
ROBERT N. GODFREY
DEPUTY CITY ATTORNEY

ADVERSE REPORT AUG 19 2002
CITY COUNCIL

Patricia M. Woodard
ATLANTA CITY COUNCIL PRESIDENT
AUG 19 2002
CERTIFIED

Renee Douglas Johnson
MUNICIPAL CLERK
AUG 19 2002
CERTIFIED

ADVERSE REPORT

COMV *P. S. L. A.*

DATE *7/30/02*

C. *see chair C. T. Martin*

Melba Archer

[Signature]

Carla [Signature]



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

August 20, 2002

Meekell Benford
134 Chappell Rd., SW
Atlanta, GA 30314

02-R-1317

Dear Ms. Benford:

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 August 19, 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. 01L0476

Date: 07/15/02

Claimant /Victim MEEKELL BENFORD

BY: (Atty)

Address: 134 Chappell Road, SW Atlanta, Georgia 30314

Subrogation: Claim for Property damage \$ 10.50 Bodily Injury \$

Date of Notice: 06/11/01 Method: Written, proper X Improper

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

Date of Occurrence 05/15/01 Place: 134 Chappell Road, SW

Department Public Works Division: Solid Waste Services

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges that she sustained property damage when a City Solid Waste Services worker accidentally disposed of her personal trash container causing damages in the above amount. However, the City made numerous attempts to locate the claimant to resolve the claim but the claimant failed to respond. Therefore, this claim is deemed abandoned.

INVESTIGATION:

Statements: City employee Claimant Other X Written X Oral

Pictures Diagrams Reports: Police Dept Report 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

City not involved Offer rejected Compromise settlement

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

Claimant Negligent City Negligent Joint Claim Abandoned X

Respectfully submitted,

Alexis Holmes
INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01

Claims Manager: [Signature] Concur/date 07/16/02

Committee Action Council Action

08/19/02 Council Meeting

**ITEMS ADOPTED ON CONSENT
AGENDA**

**ITEMS ADVERSED
ON CONSENT AGENDA**

1. 02-O-1181
2. 02-O-1221
3. 02-O-1222
4. 02-O-1282
5. 02-O-1300
6. 02-O-1245
7. 02-O-1293
8. 02-O-1294
9. 02-O-1223
10. 02-O-1220
11. 02-O-1289
12. 02-O-1291
13. 02-O-1273
14. 02-O-1224
15. 02-O-1232
16. 02-O-1233
17. 02-O-1287
18. 02-R-1362
19. 02-R-1283
20. 02-R-1288
21. 02-R-1334
22. 02-R-1279
23. 02-R-1331
24. 02-R-1332
25. 02-R-1333
26. 02-R-1338
27. 02-R-1349
28. 02-R-1350
29. 02-R-1348
30. 02-R-1303
31. 02-R-1304
32. 02-R-1305
33. 02-R-1306

34. 02-R-1307
35. 02-R-1308
36. 02-R-1309
37. 02-R-1310
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48. 02-R-1321
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51. 02-R-1324
52. 02-R-1325
53. 02-R-1326
54. 02-R-1327
55. 02-R-1328
56. 02-R-1329
57. 02-R-1330

1st Consent I Vote: 13Yeas; 0 Nays (See RCS #3910)
Items Removed from Consent: 02-O-1290; 02-O-1213; 02-R-1345; 02-O-1272