

APPROVED BY
CITY COUNCIL
OCT 21 2002

Entered - 07/17/02 - sb
CL02L0475 - DIANNE C. MITCHELL

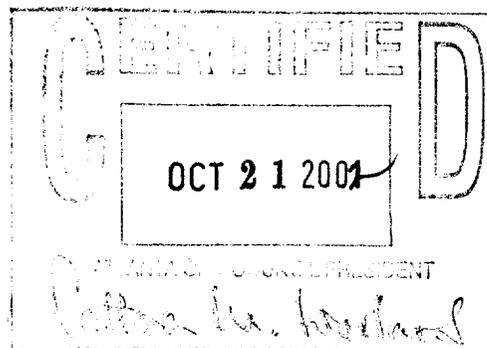
CLAIM OF: **KEVIN KURITZKY**
200 Renaissance Parkway
#221
Atlanta, Georgia 30308

02-R-1753

For damages alleged to have been sustained as a result of vehicular damage due to driving over unraised water valves in the roadway on June 21, 2002 at 10th Street and Fowler Street.

THIS ADVERSED REPORT IS APPROVED

BY: Rosalind Rubens Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY



ADVERSE REPORT

PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

DATE: 10/15/02

CHAIR: _____

Natalya Artyukh

Clara Henderson

Harold Stank

Carl Smith

Chris Jones



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

October 23, 2002

Kevin Kuritzky
200 Renaissance Parkway
#221
Atlanta, GA 30308

02-R-1753

Dear Mr. Kuritzky:

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 October 21, 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. 02L0475

Date: October 3, 2002

Claimant /Victim KEVIN KURITZKY

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

Address: 200 Renaissance Parkway, #221, Atlanta, Georgia 30308

Subrogation: Claim for Property damage \$ 85.24 Bodily Injury \$ _____

Date of Notice: 07/15/02 Method: Written, proper X Improper _____

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

Date of Occurrence 06/21/02 Place: 10th Street and Fowler Street

Department _____ Division: _____

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant damaged his vehicle when he drove over unraised water valves in the roadway. The investigation determined that United Water Services Atlanta was responsible for the condition. The claim was forwarded to United Water Services Atlanta for handling and the claimant has been paid for his damages.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others X Written _____ Oral X

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 _____ Ministerial _____

Improper Notice _____ More than Six Months _____ Other X Damages reasonable _____

City not involved X Offer rejected _____ Compromise settlement _____

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

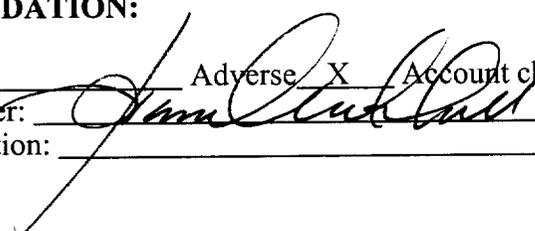
Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

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

Claims Manager:  Concur/date 10-03-02

Committee Action: _____ Council Action _____

10/21/02 Council Meeting

**ITEMS ADOPTED ON CONSENT
AGENDA**

1. 02-O-1368
2. 02-O-1710
3. 02-O-1674
4. 02-O-1645
5. 02-O-1646
6. 02-O-1647
7. 02-O-1648
8. 02-O-1672
9. 02-O-1726
10. 02-O-1728
11. 02-O-1776
12. 02-O-1779
13. 02-O-1781
14. 02-O-1783
15. 02-O-1790
16. 02-O-1791
17. 02-O-1661
18. 02-O-1793
19. 02-O-1584
20. 02-O-1636
21. 02-O-1738
22. 02-R-1176
23. 02-R-1736
24. 02-R-1737
25. 02-R-1745
26. 02-R-1769
27. 02-R-1716
28. 02-R-1740
29. 02-R-1735
30. 02-R-1797
31. 02-R-1800
32. 02-R-1663
33. 02-R-1780
34. 02-R-1802
35. 02-R-1588
36. 02-R-1773
37. 02-R-1787
38. 02-R-1799
39. 02-R-1760
40. 02-R-1761
41. 02-R-1762
42. 02-R-1763
43. 02-R-1764
44. 02-R-1765

45. 02-R-1766
46. 02-R-1767
47. 02-R-1768

**ITEMS ADVERSED
ON CONSENT AGENDA**

48. 02-R-1746
49. 02-R-1747
50. 02-R-1748
51. 02-R-1749
52. 02-R-1750
53. 02-R-1751
54. 02-R-1752
55. 02-R-1753
56. 02-R-1754
57. 02-R-1755
58. 02-R-1756
59. 02-R-1757
60. 02-R-1758
61. 02-R-1759
62. 02-R-1366

Consent I Vote: 12 Yeas; 0 Nays (See RCS #4102)
Items Removed from Consent: 02-O-1643; 02-O-1795; 02-R-1803; 02-R-1729