

Entered - 11-02-00 sb  
CL 00L0673- GWENDOLYN BURNS

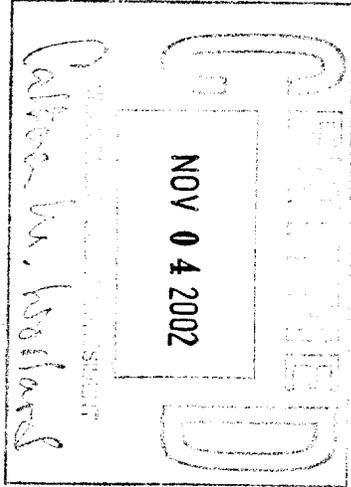
CLAIM OF:

02- R-1824

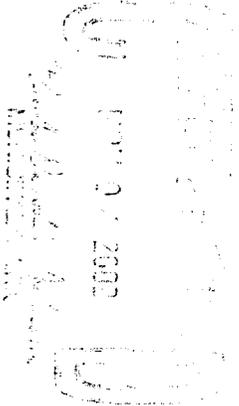
VICTORIA J. BRYANT  
5895 North Bear Drive  
Douglasville, Georgia 30135-3935

For vehicular damages alleged to have sustained from driving over  
a metal plate in the road on October 1, 2000 at Pryor Street &  
Martin Luther King, Jr. Drive.

THIS ADVERSED REPORT IS  
APPROVED



BY: Rosalind Rubens Newell  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY



ADVERSED BY  
CITY COUNCIL NOV 04 2002

# ADVERSE REPORT

PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE

DATE: 10/29/02

CHAIR: [Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]



**CITY OF ATLANTA  
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

November 6, 2002

Ms. Victoria J. Bryant  
5895 North Bear Drive  
Douglasville, Georgia 30135-3935

**02-R-1824**

Dear Ms. Bryant:

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 November 4, 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.

Yours very truly,

Rhonda Dauphin Johnson, CMC  
Municipal Clerk

**cc: Claims Division/Law Department**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0673

Date: October 15, 2002

Claimant /Victim VICTORIA J. BRYANT
BY: (Atty) (Ins. Co.)
Address: 5895 N. Bear Drive, Douglasville, Georgia 30135-3935
Subrogation: Claim for Property damage \$ 4,883.80 Bodily Injury \$
Date of Notice: 10/27/00 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 10/01/00 Place: Pryor Street, & Martin Luther King, Jr. Drive
Department PUBLIC WORKS Division Sewer Operations
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant alleges that her vehicle sustained damage when she drove over a metal plate that was covering a construction site in the roadway. An investigation determined that the manhole that claimant alleges was covered by the plate is a telecommunication manhole. The contractor that is involved denies performing any work at the location. Furthermore, a site visit revealed that there had not been any construction work performed around the subject manhole. Finally, the City did not have any records to show that a construction site existed at this location.

INVESTIGATION:

Statements: City employee X Claimant Others X Written Oral X
Pictures Diagrams Reports: Police X 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 X 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 10-16-02
Committee Action: Council Action

RCS# 4209  
11/04/02  
6:38 PM

Atlanta City Council

Regular Session

CONSENT I

Pgs. 1-10; Except 02-R-1871  
02-R-1885; 02-O-1879  
ADOPT

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	B Norwood
Y Young	Y Shook	Y Maddox	Y Willis
NV Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

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**11/08/02 Council Meeting**

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**ITEMS ADOPTED ON CONSENT  
AGENDA**

1. 02-O-1730
2. 02-O-1733
3. 02-O-1734
4. 02-O-1891
5. 02-O-1537
6. 02-O-1550
7. 02-R-1587
8. 02-R-1893
9. 02-R-1857
10. 02-R-1858
11. 02-R-1883
12. 02-R-1901
13. 02-R-1851
14. 02-R-1852
15. 02-R-1729
16. 02-R-1910
17. 02-R-1846
18. 02-R-1862
19. 02-R-1626
20. 02-R-1855
21. 02-R-1876
22. 02-R-1815
23. 02-R-1816
24. 02-R-1817
25. 02-R-1818
26. 02-R-1819
27. 02-R-1820
28. 02-R-1821
29. 02-R-1822
30. 02-R-1823
31. 02-R-1824
32. 02-R-1825
33. 02-R-1826

**ITEMS ADVERSED  
ON CONSENT AGENDA**

34. 02-R-1827
35. 02-R-1828
36. 02-R-1829
37. 02-R-1830
38. 02-R-1831
39. 02-R-1832
40. 02-R-1833
41. 02-R-1834
42. 02-R-1835
43. 02-R-1836
44. 02-R-1837
45. 02-R-1838
46. 02-R-1839
47. 02-R-1841
48. 02-R-1842
49. 02-R-1843
50. 02-R-1844
51. 02-R-1845

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Consent I Vote:           13 Yeas; 0 Nays           (See RCS #4209)  
Items Removed from Consent: 02-R-1871; 02-R-1885; 02-O-1879  
(Initial Consent Vote Reconsidered; See RCS #4162 & RCS #4208)