



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

03-R-0002

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 **Allstate Insurance Company as subrogee of Roosevelt Brown, through their attorney, Edward M. Harris** in the sum of **\$2,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of a vehicular accident April 30, 2002 at 242 Auburn Avenue, NE as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

Rhonda Dauphin Johnson
Municipal Clerk, CMC

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

JAN 21, 2003
JAN 28, 2003

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0501

Date: December 5, 2002

Claimant/Victim ALLSTATE INSURANCE COMPANY AS SUBROGEE OF ROOSEVELT BROWN
BY: (Atty) Edward M. Harris
Address: 316 West Ponce de Leon Avenue, Suite 602, Decatur, Georgia 30030
Subrogation: X Claim for Property damage \$ 3,494.08 Bodily Injury \$ _____
Date of Notice: 07/11/02 Method: Written, proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 04/30/02 Place: 242 Auburn Avenue, NE
Department Police Division: _____
Employee involved Kenmond Bennett Disciplinary Action: Oral Admonishment

NATURE OF CLAIM: The driver of the City vehicle drove left of the center line and collided with the claimant's vehicle causing damages in the above amount.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____
Pictures _____ Diagrams _____ Reports: Police X Dept Report _____ Other _____
Traffic citations issued: City Driver X 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 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 \$ 2,000.00 Adverse _____ Account charged: 1A01 X 2J01 _____ 2H01 _____ 2P01 _____
Claims Manager: Dianne C. Mitchell Concur/date 12-05-02
Committee Action: _____ Council Action _____

RCS# 4404
1/21/03
3:19 PM

Atlanta City Council

Regular Session

CONSENT 1

Pgs. 1-8; Except 03-R-0035; 03-R-0050

ADOPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 5
EXCUSED: 0
ABSENT 0

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

CONSENT 1

1/21/03 FULL COUNCIL MEETING

**Items Adopted on the
Consent Agenda**

1. 02-O-2129
2. 03-O-0040
3. 02-O-2132
4. 02-O-2133
5. 02-O-2128
6. 03-O-0047
7. 03-R-0029
8. 03-R-0030
9. 03-R-0025
10. 03-R-0032
11. 03-R-0036
12. 03-R-0058
13. 03-R-0059
14. 02-R-1137
15. 02-R-1628
16. 02-R-1874
17. 03-R-0031
18. 03-R-0046
19. 02-R-2056
20. 03-R-0001
21. 03-R-0002
22. 03-R-0013
23. 03-R-0014

**Items Adversed on the Consent
Agenda**

24. 03-R-0003
25. 03-R-0004
26. 03-R-0005
27. 03-R-0006
28. 03-R-0007
29. 03-R-0008
30. 03-R-0009
31. 03-R-0010
32. 03-R-0011
33. 03-R-0012
34. 03-R-0015
35. 03-R-0016
36. 03-R-0017
37. 03-R-0018
38. 03-R-0019
39. 03-R-0021
40. 03-R-0022
41. 03-R-0023
42. 03-R-0024

Consent I Vote: 11 Yeas; 0 Nays: (See RCS #4404/Reconsidered; See RCS # 4376
for Initial Vote & RCS #4403 for vote to Reconsider)

Items Removed from the Consent Agenda: 03-R-0035 & 03-R-0050

Entered - 07/16/02 - sb
CL02L0501 - DIANNE C. MITCHELL

CLAIM OF: **ALLSTATE INSURANCE COMPANY AS
SUBROGEE OF ROOSEVELT BROWN,**
through their attorney,
Edward M. Harris
315 West Ponce de Leon Avenue
Suite 602
Decatur, Georgia 30030

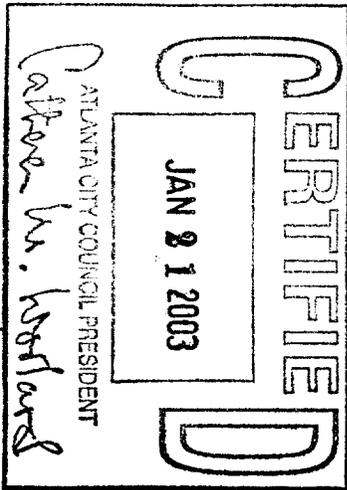
03-R-0002

ADOPTED BY
JAN 21 2003
COUNCIL

For damages alleged to have been sustained as a result of a vehicular accident on April 30, 2002 at 242 Auburn Avenue, NE.

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 **ALLSTATE INSURANCE COMPANY AS SUBROGEE OF ROOSEVELT BROWN**, through their attorney, Edward M. Harris the sum of **\$2,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of a vehicular accident on April 30, 2002 at 242 Auburn Avenue, NE as is more particularly set forth in the within claim; said sum taken from and charged to account **1A01/529017/T31001**, Settlement of Suits and Claims, Department of Law.



CERTIFIED
JAN 21 2003

APPROVED: LINDA K. DISANTIS
CITY ATTORNEY

faulkner
DEPUTY MUNICIPAL CLERK

BY: *Rosalind Rubens Newell*
ROSALIND RUBENS NEWELL
CITY ATTORNEY

FAVORABLE REPORT

COMM: *Public Safety*

DATE: *1/14/03*

CHAIR: *[Signature]*

[Signature]

[Signature]

[Signature]

[Signature]

[Signature]

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APPROVED
JAN 28 2003
Stanley Franklin
CANDOR