

Entered - 10-28-02 - sb
CL 02L0770 - GWENDOLYN BURNS

CLAIM OF: ROBERT L. MCLAUGHLIN
960 Lynhurst Drive, SW
Atlanta, Georgia 30311

03-R-0282

ADOPTED BY
MAR 03 2003
COUNCIL

For property damages alleged to have been sustained as a result of several sewer backups on October 5, November 28, 2001, January 4 and September 9, 2002 at 960 Lynhurst Drive, 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 **ROBERT L. MCLAUGHLIN** the sum of \$707.67 in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained as a result of several sewer backups on October 5, November 28, 2001, January 4 and September 9, 2002 at 960 Lynhurst Drive, 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.

APPROVED: LINDA K. DISANTIS
CITY ATTORNEY

BY: Rosalind R. Newell
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

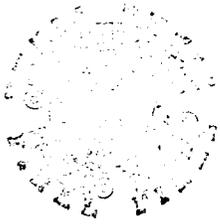
FAVORABLE RE:

COMM: Public Safety
DATE: 2-25-03
CHAIR: [Signature]
[Signature]
[Signature]
[Signature]
[Signature]

APPROVED
[Signature]
MAYOR

CERTIFIED
MAR 03 2003
ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
MAR 03 2003
Rosalind Rubens Newell
MUNICIPAL CLERK



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

03-R-0282

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 **Robert L. McLaughlin** in the sum of **\$707.67** 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 several sewer backups on October 5, November 28, 2001, January 4 and September 9, 2002 at 960 Lynhurst Drive, SW** 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 Daughkin Johnson
Municipal Clerk, CMC

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

MAR 03, 2003
MAR 11, 2003

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0770

Date: February 13, 2003

Claimant /Victim ROBERT L. MCLAUGHLIN
BY: (Atty) (Ins. Co.)
Address: 960 Lynhurst Drive, Atlanta, Georgia 30311
Subrogation: Claim for Property damage \$ 1,690.00 Bodily Injury \$
Date of Notice: 10/22/02 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 10/5/01, 11/28/01, 1/4/02, 9/9/02 Place: 960 Lynhurst Drive, SW
Department WATERSHED MANAGEMENT Division Sewer Operations
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant sustained property damage from several sewer back ups. An investigation determined that the City made several attempts to correct said problem but failed to do so.

INVESTIGATION:

Statements: City employee X Claimant Others Written Oral X
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 X
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,

Gwendolyn Burns
INVESTIGATOR GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 707.67 Adverse Account charged: 1A01 2P01 2J01 X 2H01
Claims Manager: Concur/date 02-13-03
Committee Action: Council Action

RCS# 4504
3/03/03
2:24 PM

Atlanta City Council

Regular Session

CONSENT 1

Pgs. 1-11: Except 03-R-0321;

Adopt

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 0

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

CONSENT 1

3/03/03 FULL COUNCIL MEETING

**Items Adopted on the
Consent Agenda**

1. 03-O-0154
2. 03-O-0155
3. 03-O-0156
4. 03-O-0157
5. 03-O-0158
6. 03-O-0159
7. 03-O-0227
8. 03-O-0230
9. 03-O-0231
10. 03-O-0278
11. 03-R-0232
12. 03-R-0285
13. 03-R-0216
14. 03-R-0222
15. 03-R-0309
16. 03-R-0226
17. 03-R-0283
18. 03-R-0284
19. 03-R-0324
20. 03-R-0237
21. 03-R-0238
22. 03-R-0239
23. 03-R-0240
24. 03-R-0241
25. 03-R-0242
26. 03-R-0243
27. 03-R-0245
28. 03-R-0279
29. 03-R-0280
30. 03-R-0281
31. 03-R-0282

**Items Adversed on the Consent
Agenda**

32. 03-R-0244
33. 03-R-0246
34. 03-R-0247
35. 03-R-0248
36. 03-R-0249
36. 03-R-0250
37. 03-R-0251
38. 03-R-0252
39. 03-R-0253
40. 03-R-0254
41. 03-R-0255
42. 03-R-0256
43. 03-R-0257
44. 03-R-0258
45. 03-R-0259
46. 03-R-0260
47. 03-R-0261
48. 03-R-0262
49. 03-R-0263
50. 03-R-0264
51. 03-R-0265
52. 03-R-0266
53. 03-R-0267
54. 03-R-0268
55. 03-R-0269
56. 03-R-0270
57. 03-R-0271
58. 03-R-0272
59. 03-R-0273
60. 03-R-0274
61. 03-R-0275
62. 03-R-0276
63. 03-R-0277

Consent I Vote: 12Yeas; 0 Nays: (See RCS #4504)
Item Removed from the Consent Agenda: 03-R-0321