

Entered -12-14-01 & 02L0672 - sb
CL 01L0789 & 02L0672 - GWENDOLYN BURNS

CLAIM OF: **DAVID W. AND SALLY WRIGHT**
1981 Rosecliff Drive
Atlanta, Georgia 30329

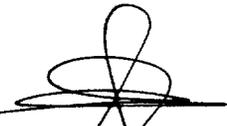
03-*R*-0504

For property damages alleged to have been sustained when sewer back ups on June 25, 2001 and May 10, 2002 at 1257 Beech Valley Road.

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 **DAVID W. AND SALLY WRIGHT** the sum of **\$5,133.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for property damages alleged to have been sustained when sewer back ups on June 25, 2001 and May 10, 2002 at 1257 Beech Valley Road 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

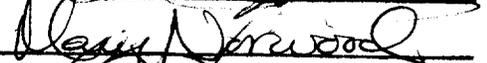
BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

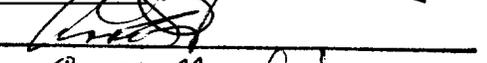
FAVORABLE REPORT

COMM: *Public Safety*

DATE: *4/1/03*

CHAIR: 





C. T. Martin



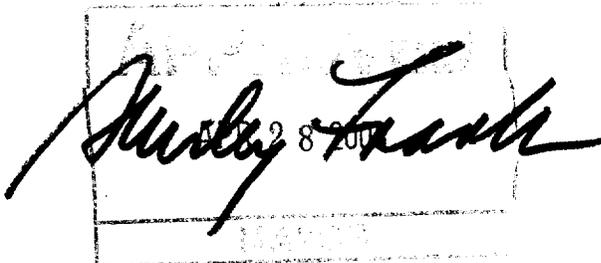
Ch. Anderson

H. J. Hill

RECEIVED
APR 21 2003
John G. Moore
COUNCIL PRESIDENT PROTEM

RECEIVED
APR 21 2003
Renee Douglas Johnson
MUNICIPAL CLERK

ADOPTED BY
APR 21 2003
COUNCIL


APR 28 2003



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

03-R-0504

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 **David W. & Sally Wright** in the sum of **\$5,133.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained **when sewer back ups on June 25, 2001 and May 10, 2002 at 1257 Beech Valley Road** 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,

Khonda Daughin Johnson
Municipal Clerk, CMC

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

APR 21, 2003
APR 28, 2003

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0789 & 02L0819

Date: March 19, 2003

Claimant /Victim DAVID W. AND SALLY WRIGHT

BY: (Atty) (Ins. Co.)

Address: 1981 Rosecliff Drive, Atlanta, Georgia 30329

Subrogation: Claim for Property damage \$ 5,133.00 Bodily Injury \$

Date of Notice: 12/7/01 & 5/10/02 Method: Written, Proper X Improper

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

Date of Occurrence 6/25/01 & 5/10/02 Place: 1257 Beech Valley Road

Department PUBLIC WORKS Division Sewer Operations

Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant sustained property damages from two sewer back ups. An investigation determined that the City was on notice of said problem but failed to correct it. (See claim #97L0796)

INVESTIGATION:

Statements: City employee Claimant Others Written Oral

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

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 \$ 5,133.00 Adverse Account charged: 1A01 2P01 2J01 X 2H01

Claims Manager: Concur/date 03/20/03

Committee Action: Council Action

RCS# 4616
4/21/03
2:23 PM

Atlanta City Council

Regular Session

CONSENT I Pgs. 1-19; Except 03-O-0441; 03-O-0391

Adopt

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 0
EXCUSED: 0
ABSENT 1

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

CONSENT I

4/21/03 FULL COUNCIL MEETING

Items Adopted on the Consent Agenda

- | | | |
|---------------|---------------|---------------|
| 1. 03-O-0186 | 36. 03-R-0451 | 72. 03-R-0498 |
| 2. 03-O-0350 | 37. 03-R-0571 | 73. 03-R-0499 |
| 3. 03-O-0401 | 38. 03-R-0549 | 74. 03-R-0500 |
| 4. 03-O-0442 | 39. 03-R-0555 | 75. 03-R-0501 |
| 5. 03-O-0438 | 40. 03-R-0556 | 76. 03-R-0502 |
| 6. 03-O-0445 | 41. 03-R-0558 | 77. 03-R-0503 |
| 7. 03-O-0446 | 42. 03-R-0559 | 78. 03-R-0504 |
| 8. 03-O-0443 | 43. 03-R-0560 | 79. 03-R-0505 |
| 9. 03-O-0450 | 44. 03-R-0561 | 80. 03-R-0506 |
| 10. 03-O-0485 | 45. 03-R-0562 | |
| 11. 03-O-0399 | 46. 03-R-0563 | |
| 12. 03-O-0369 | 47. 03-R-0564 | |
| 13. 03-O-0416 | 48. 03-R-0572 | |
| 14. 03-O-0193 | 49. 03-R-0588 | |
| 15. 03-O-0355 | 50. 03-R-0589 | |
| 16. 03-O-0359 | 51. 03-R-0590 | |
| 17. 03-O-0360 | 52. 03-R-0448 | |
| 18. 03-O-0436 | 53. 03-R-0454 | |
| 19. 02-O-1543 | 54. 03-R-0528 | |
| 20. 03-O-0432 | 55. 03-R-0529 | |
| 21. 03-O-0433 | 56. 03-R-0569 | |
| 22. 03-O-0434 | 57. 03-R-0570 | |
| 23. 03-R-0444 | 58. 03-R-0591 | |
| 24. 03-R-0530 | 59. 03-R-0592 | |
| 25. 03-R-0531 | 60. 03-R-0217 | |
| 26. 03-R-0532 | 61. 03-R-0539 | |
| 27. 03-R-0533 | 62. 03-R-0541 | |
| 28. 03-R-0534 | 63. 03-R-0542 | |
| 29. 03-R-0535 | 64. 03-R-0566 | |
| 30. 03-R-0536 | 65. 03-R-0593 | |
| 31. 03-R-0537 | 66. 03-R-0544 | |
| 32. 03-R-0538 | 67. 03-R-0545 | |
| 33. 03-R-0546 | 68. 03-R-0565 | |
| 34. 03-R-0577 | 69. 03-R-0496 | |
| 35. 03-R-0390 | 70. 03-R-0497 | |

**Items Adversed on
the Consent Agenda**

81. 03-R-0507
82. 03-R-0508
83. 03-R-0509
84. 03-R-0510
85. 03-R-0511
86. 03-R-0512
87. 03-R-0513
88. 03-R-0514
89. 03-R-0515
90. 03-R-0516
91. 03-R-0517
92. 03-R-0518
93. 03-R-0519
94. 03-R-0520
95. 03-R-0521
96. 03-R-0522
97. 03-R-0523
98. 03-R-0524
99. 03-R-0525
100. 03-R-0526
101. 03-R-0527

Consent I Vote: 15Yeas; 0 Nays: (See RCS #4616)

Items Removed from the Consent Agenda: 03-O-0441 & 03-O-0391