

JUL 21 2003

ADVERSED

Entered 06-12-03 - sb  
CL 03L0460 GWENDOLYN BURNS

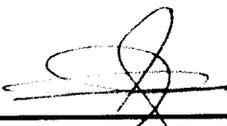
03-R -1053

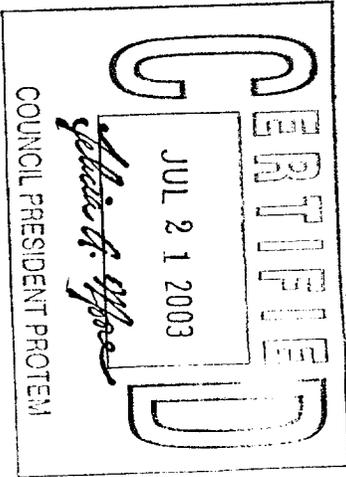
CLAIM OF: CHARLANDRA JACOBS  
1299 Stoneham Court  
College Park, Georgia 30349

For vehicular damages alleged to have been  
sustained from driving over a speed hump on June 8,  
2003 at 1506 Fairview Road.

THIS ADVERSED REPORT IS  
APPROVED

BY:

  
JERRY L. DELOACH  
DEPUTY CITY ATTORNEY



DEPUTY MUNICIPAL CLERK

### ADVERSE REPORT

PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE

DATE: 7/15/03

CHAIR: \_\_\_\_\_

Clara J. ...

\_\_\_\_\_

Mary Norwood

\_\_\_\_\_



## 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

July 25, 2003

Charlandra Jacobs  
1299 Stoneham Court  
College Park, GA 309349

03-R-1053

Dear Ms. Jacobs:

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 July 21, 2003. 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. 03L0460

Date: July 1, 2003

Claimant /Victim CHARLANDRA JACOBS
BY: (Atty) (Ins. Co.)
Address: 1299 Stoneham Court, College Park, Georgia 30349
Subrogation: Claim for Property damage \$ 1,031.67 Bodily Injury \$
Date of Notice: 6/11/03 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 6/3/03 Place: 1506 Fairview Road
Department PUBLIC WORKS Division Traffic & Transportation Services
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant alleges that her vehicle sustained damage when she drove over a speed hump. However, an investigation determined that the Claimant was unsure of the date of her incident. The Claimant stated that although her claim form indicates June 3, as the date of incident, she believed the actual date was either May 27 or May 28, 2003. A review of City records show that the speed hump was an unauthorized and illegal structure that had been placed in the roadway by someone in the community and not the City. Moreover, the investigation confirmed that the City was notified of the structure on May 28, 2003 and removed said structure on the same day. Finally, the records showed that the City did not have notice of any complaints or problems with the roadway prior to Claimant's alleged actual dates.

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 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 07-01-03
Committee Action: Council Action

RCS# 4940  
7/21/03  
6:41 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS. 1-11, EXCEPT:03-O-1034  
03-R-1110, 03-R-1137, 03-O-1116  
ADOPT

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

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

CONSENT I

		7/21/03 Full Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 02-O-1259	26. 03-R-1039	51. 03-R-1064
2. 03-O-0148	27. 03-R-1040	52. 03-R-1065
3. 03-O-0826	28. 03-R-1041	53. 03-R-1066
4. 03-O-1114	29. 03-R-1042	54. 03-R-1067
5. 03-O-1122	30. 03-R-1043	55. 03-R-1068
6. 03-O-0939	31. 03-R-1044	56. 03-R-1069
7. 03-O-0974	32. 03-R-1045	57. 03-R-1070
8. 03-O-1120	33. 03-R-1046	58. 03-R-1071
9. 03-O-0964	34. 03-R-1047	59. 03-R-1072
10. 03-O-1115	35. 03-R-1048	60. 03-R-1073
11. 03-O-1117	36. 03-R-1049	61. 03-R-1074
12. 03-R-0896	37. 03-R-1050	
13. 03-R-1103	38. 03-R-1051	
14. 03-R-1126	39. 03-R-1052	
15. 03-R-1136	40. 03-R-1053	
16. 03-R-1124	41. 03-R-1054	
17. 03-R-1102	42. 03-R-1055	
18. 03-R-1129	43. 03-R-1056	
19. 03-R-1135	44. 03-R-1057	
20. 03-R-1088	45. 03-R-1058	
21. 03-R-1104	46. 03-R-1059	
22. 03-R-1111	47. 03-R-1060	
23. 03-R-1036	48. 03-R-1061	
24. 03-R-1037	49. 03-R-1062	
25. 03-R-1038	50. 03-R-1063	

Consent I Vote: 13 Yeas; 0Nays: (See RCS #4940)

Items Removed from the Consent Agenda: 03-O-1034; 03-O-1116; 03-R-1110; 03-R-1137;