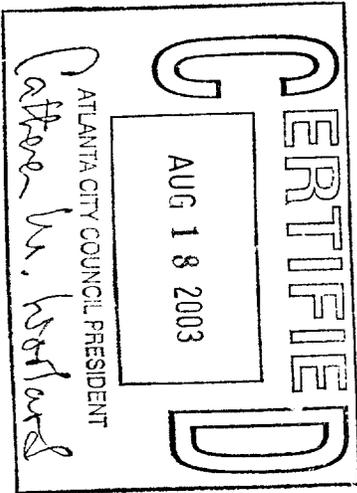


Entered - 10-22-02 - sb
CL 02L0764 GWENDOLYN BURNS

CLAIM OF: **BLAKE JONES**
204 Eureka Drive
Atlanta, Georgia 30305

03- R -1141

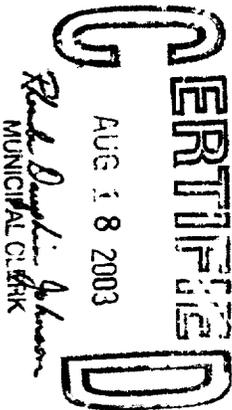


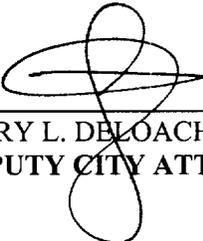
For vehicular damages alleged to have been sustained after driving over a defective sanitary sewer manhole on September 16, 2002 at 3080 Maple Drive.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that action of the Department of Law be approved in authorizing payment to **BLAKE JONES** the sum of **\$1,591.09** 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 after driving over a defective sanitary sewer manhole on September 16, 2002 at 3080 Maple Drive 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

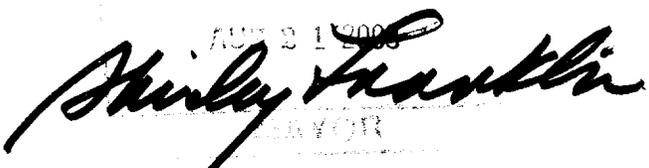


BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

ADOPTED BY
AUG 18 2003
COUNCIL

FAVORABLE REPORT

COMM: Public Safety
DATE: 7/29/03
CHAIR: Catala
C. J. Martin
Ray Norwood
A. P. Hill

APPROVAL
AUG 21 2003

SHIRLEY FRANKLIN
CITY MANAGER



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

03-R-1141

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 **Blake Jones** in the sum of **\$1,591.09** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained after driving over a defective sanitary sewer manhole on September 16, 2002 at 3080 Maple Drive 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.

A true copy,

Rhonda Daughen Johnson
Municipal Clerk, CMC

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

AUG 18, 2003
AUG 21, 2003

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0764

Date: July 15, 2003

Claimant /Victim BLAKE JONES
BY: (Atty) (Ins. Co.)
Address: 205 Eureka Drive, Atlanta, Georgia 30305
Subrogation: Claim for Property damage \$ 1,591.09 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 9/16/02 Place: 3080 Maple Drive
Department WASTEWATER MANAGEMENT Division Sewer Operations
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant's vehicle sustained damage when he drove over a sanitary sewer manhole that was partially covered. An investigation determined that the casting on the top of the manhole was broken and the City was placed on notice of the problem but failed to repair it prior to Claimant's date of incident.

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 Ministerial X
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 \$ 1,591.09 Adverse Account charged: 1A01 2J01 X 2P01 1H01
Claims Manager: Concur/date 07-16-03
Committee Action: Council Action

RCS# 4947
8/18/03
2:06 PM

Atlanta City Council

Regular Session

CONSENT I CONSENT I PGS. 1-11, EXCEPT:03-R-1165,
03-R-1170, 03-R-1171,03-R-1172,03-R-1210
ADOPT

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

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

CONSENT I

RCS# 4948
8/18/03
2:07 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I
03-R-1170, 03-R-1171, 03-R-1172, 03-R-1210
ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 1
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

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

CONSENT I

		8/18/03 Full Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 03-O-1105	31. 03-R-1138	38. 03-R-1145
2. 03-O-0720	32. 03-R-1139	39. 03-R-1146
3. 03-O-0780	33. 03-R-1140	40. 03-R-1147
4. 03-R-1169	34. 03-R-1141	41. 03-R-1148
5. 03-R-1197	35. 03-R-1142	42. 03-R-1149
6. 03-R-1198	36. 03-R-1143	43. 03-R-1150
7. 03-R-1199	37. 03-R-1144	44. 03-R-1151
8. 03-R-1200		45. 03-R-1152
9. 03-R-1201		46. 03-R-1153
10. 03-R-1168		47. 03-R-1154
11. 03-R-1170		48. 03-R-1155
12. 03-R-1171		49. 03-R-1156
13. 03-R-1172		50. 03-R-1157
14. 03-R-1209		51. 03-R-1158
15. 03-R-1210		52. 03-R-1159
16. 03-R-1173		53. 03-R-1160
17. 03-R-1174		54. 03-R-1161
18. 03-R-1184		55. 03-R-1162
19. 03-R-1189		56. 03-R-1163
20. 03-R-1190		57. 03-R-1164
21. 03-R-1211		
22. 03-R-1194		
23. 03-R-1195		
24. 03-R-1196		
25. 03-R-1176		
26. 03-R-1177		
27. 03-R-1178		
28. 03-R-1179		
29. 03-R-1180		
30. 03-R-1192		

Consent I Vote: 13 Yeas; 0Nays: (See RCS #4947)

Items Removed from the Consent Agenda: 03-R-1165; Mitchell abstained on 03-R-1170; 03-R-1171; 03-R-1172; & 03-R-1210