CERTIFIED
AUG 18 2003
ATLANTA CITY COUNCIL PRESIDENT

Entered - 06/06/03 - sb
CL - 03L0459 LISA CARTER

CLAIM OF: OZIE N, CRAWFORD
526 Peyton Road, SW
Atlanta, Georgia 30311

03- R -1156

For damages alleged to have been sustained as a result of sewer back ups on 02/15/00, 11/01/01, and 03/17/03 at 526 Peyton Road SW.

THIS ADVERSED REPORT IS APPROVED

CERTIFIED
AUG 18 2003
MUNICIPAL CLERK

BY: _____
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

ADVERSED
AUG 18 2003

ADVERSE REPORT
COMM Public Safety
DATE 7/29/03
CHAIR
C. T. Martin

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

August 27, 2003

Ozie N. Crawford
526 Peyton Rd., SW
Atlanta, GA 30311

03-R-1156

Dear Ms. Crawford:

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 August 18, 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**.

Sincerely,

Rhonda Dauphin Johnson

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. **03L0459** Date: July 11, 2003

Claimant /Victim **OZIE N. CRAWFORD**
BY: (Atty) (Ins. Co.) _____
Address: 526 Peyton Road, SW Atlanta, Georgia 30311
Subrogation: _____ Claim for Property damage $ 503.90 Bodily Injury $ _____
Date of Notice: 06/06/03 Method: Written, proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 02/15/00, 11/01/01 & 03/17/03 Place: 526 Peyton Road, SW
Department Watershed Management Bureau: _____ Division: Sewer Operation
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges that his property sustained damages as a result of a series of sewer back ups. However, the city was not on notice of the existence of the problem prior to the incidents involving the claimant. Furthermore, the city is immune from liability as set forth in O.C.G.A. §36-33-1.

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 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,

Lisa Carter
INVESTIGATOR - LISA CARTER

RECOMMENDATION:

Pay $ _____ Adverse X Account charged: 1A01 _____ 2J01 ✓ 2H01 _____
Claims Manager: _____ Concur/date 07-14-03
Committee Action: _____ Council Action _____

FORM 23-61

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