

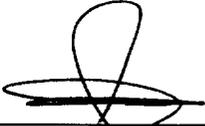
Entered - 04/15/03 - sb  
CL - 03L0311 LISA CARTER

CLAIM OF: ALAN JOEL PARTNERS  
962 Howell Mill Road, Suite 100  
Atlanta, Georgia 30318

03-P-1163

For damages alleged to have been sustained as a result of the  
Rivers Road Sewer Rehabilitation Project on January 17, 2001 at  
60 Muscogee Avenue.

THIS ADVERSED REPORT IS APPROVED

BY:   
JERRY L. DELOACH  
DEPUTY CITY ATTORNEY

ADVERSED  
AUG 18 2003

**CERTIFIED**  
AUG 18 2003  
ATLANTA CITY COUNCIL PRESIDENT  
*Catherine M. Woodward*

**CERTIFIED**  
AUG 18 2003  
*R. L. ...*

ADVERSE REPORT

COMM. *Public Safety*  
DATE *7/29/03*  
CHAIR *[Signature]*  
*C. T. Martin*  
*Wayne ...*  
*[Signature]*



## 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

Alan Joel  
962 Howell Mill Road  
Suite 100  
Atlanta, GA 30318

**03-R-1163**

Dear Mr. Joel:

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, CMC  
Municipal Clerk

**cc: Claims Division/Law Department**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 03L0311

Date: July 11, 2003

Claimant /Victim ALAN JOEL PARTNERS

BY: (Atty) (Ins. Co.)

Address: 962 Howell Mill Road Suite 100 Atlanta, Georgia 30318

Subrogation: Claim for Property damage \$ Not stated Bodily Injury \$

Date of Notice: 04/15/03 Method: Written, proper X Improper

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

Date of Occurrence 01/17/01 Place: 60 Muscogee Avenue

Department Watershed Management Bureau: Division: Sewer Operation

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges that he sustained damages to his property as a result of the Rivers Road Sewer Rehabilitation Project at 60 Muscogee Avenue. However, this is a duplicate file and the claim will be settled under claim number 03L0342. (see claim number 03L0342)

INVESTIGATION:

Statements: City employee Claimant Others Written Oral

Pictures Diagrams Reports: Police Dept Report 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 07-14-07

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