Entered - 02-11-03 - sb
CL 03L0109 - GWENDOLYN BURNS

CERTIFIED
SEP 02 2003
ATLANTA CITY COUNCIL PRESIDENT

CLAIM OF: **MARIO CATALA`**
12 Cedar Run, Apt. M
Dunwoody, Georgia 30350

03-R-1303

For property damages alleged to have been sustained from several sewer backups on January 17 through February 10, 2003 at 268 E. Paces Ferry Road.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE:

CERTIFIED
SEP 02 2003
MUNICIPAL CLERK

BE IT RESOLVED by the Council of the City of Atlanta that action of the Department of Law be approved in authorizing payment to **MARIO CATALA`** the sum of **$1,405.75** 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 from several sewer backups on January 17 through February 10, 2003 at 268 E. Paces Ferry 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

ADOPTED BY
SEP 02 2003
COUNCIL

BY: _____
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

FAVORABLE REPORT
COMM. Public Safety
DATE 8/26/03
CHAIR

SEP 18 2003

MUNICIPAL CLERK
ATLANTA, GEORGIA

03-R-1303

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 **Mario Catala** in the sum of **$1,405.75** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained **from several sewer backups on January 17 through February 10, 2003 at 268 E. Paces Ferry 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.

A true copy,
Municipal Clerk, CMC

ADOPTED by the Council September 2, 2003
APPROVED by the Mayor September 10, 2003

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 03L0109 Date: August 11, 2003

Claimant /Victim MARIO CATALA`
BY: (Atty) (Ins. Co.)
Address: 12 Cedar Run, Apt. M, Atlanta, Georgia 30305
Subrogation: _____ Claim for Property damage $ 1,405.75 Personal Injury $ _____
Date of Notice: 2/3/03 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 1/17-03 - 2/10/03 Place 268 East Paces Ferry Road
Department WATERSHED MANAGEMENT Division Sewer Operations
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant sustained property damage to his restaurant from several sewer back ups. An investigation determined that the City was on notice of said problem but failed to correct it. The City has now taken the necessary actions to correct the problem.

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,

G. Burns

INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:
Pay $ 1,405.75 Adverse _____ Account charged: 1A01 _____ 2J01 X 2P01 _____ 2H01 _____
Claims Manager: _____ Concur/date 08-14-03
Committee Action: _____ Council Action _____

FORM 23-61

RCS# 4975
9/02/03
1:20 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS 1-18, EXCEPT;03-R-1310

ADOPT

YEAS:	14
NAYS:	0
ABSTENTIONS:	0
NOT VOTING:	2
EXCUSED:	0
ABSENT	0

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

CONSENT I

		9/02/03 Full Council Meeting
ITEMS ADOPTED ON CONSENT	**ITEMS ADVERSED ON CONSENT**	**ITEMS ADVERSED ON CONSENT**
1. 03-O-1175	44. 03-R-1220	81. 03-R-1258
2. 03-O-1351	45. 03-R-1221	82. 03-R-1259
3. 03-O-1166	46. 03-R-1222	83. 03-R-1260
4. 03-O-1167	47. 03-R-1223	84. 03-R-1261
5. 03-O-1355	48. 03-R-1224	85. 03-R-1262
6. 03-O-1203	49. 03-R-1225	86. 03-R-1263
7. 03-O-1204	50. 03-R-1226	87. 03-R-1264
8. 03-O-1205	51. 03-R-1227	88. 03-R-1265
9. 03-O-0827	52. 03-R-1228	89. 03-R-1266
10. 03-O-1357	53. 03-R-1229	90. 03-R-1267
11. 03-R-1338	54. 03-R-1230	91. 03-R-1268
12. 03-R-1312	55. 03-R-1231	92. 03-R-1269
13. 03-R-1313	56. 03-R-1232	93. 03-R-1270
14. 03-R-1353	57. 03-R-1234	94. 03-R-1271
15. 03-R-1202	58. 03-R-1235	95. 03-R-1272
16. 03-R-1301	59. 03-R-1236	96. 03-R-1273
17. 03-R-1320	60. 03-R-1237	97. 03-R-1274
18. 03-R-1321	61. 03-R-1238	98. 03-R-1275
19. 03-R-1322	62. 03-R-1239	99. 03-R-1276
20. 03-R-1331	63. 03-R-1240	100. 03-R-1277
21. 03-R-1332	64. 03-R-1241	101. 03-R-1278
22. 03-R-1333	65. 03-R-1242	102. 03-R-1279
23. 03-R-1334	66. 03-R-1243	103. 03-R-1280
24. 03-R-1314	67. 03-R-1244	104. 03-R-1281
25. 03-R-1318	68. 03-R-1245	105. 03-R-1282
26. 03-R-1325	69. 03-R-1246	106. 03-R-1283
27. 03-R-1327	70. 03-R-1247	107. 03-R-1284
28. 03-R-1328	71. 03-R-1248	108. 03-R-1285
29. 03-R-1288	72. 03-R-1249	109. 03-R-1286
30. 03-R-1289	73. 03-R-1250	110. 03-R-1287
31. 03-R-1290	74. 03-R-1251	111. 03-R-1304
32. 03-R-1291	75. 03-R-1252	112. 03-R-1305
33. 03-R-1292	76. 03-R-1253	113. 03-R-1306
34. 03-R-1293	77. 03-R-1254	114. 03-R-1307
35. 03-R-1294	78. 03-R-1255	115. 03-R-1308
36. 03-R-1295	79. 03-R-1256	
37. 03-R-1296	80. 03-R-1257	
38. 03-R-1297		
39. 03-R-1298		
40. 03-R-1299		
41. 03-R-1300		
42. 03-R-1302		
43. 03-R-1303		