Entered - 3-17-03 - sb
CL 03L0201 - GWENDOLYN BURNS

CERTIFIED
SEP 15 2003
ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED
SEP 15 2003
MUNICIPAL CLERK

CLAIM OF: E. JASON ORR
1147 Cahaba Drive
Atlanta, Georgia 30311

03- R-1397

For damages alleged to have been sustained as a result of property damage due to a sewer backup on February 17, 2003 at 1147 Cahaba Drive.

BY PUBLIC SAFETY AND 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 **E. JASON ORR** the sum of **$6,850.00** 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 as a result of property damage due to a sewer backup on February 17, 2003 at 1147 Cahaba 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.

ADOPTED BY
SEP 15 2003
COUNCIL

APPROVED: LINDA K. DISANTIS
CITY ATTORNEY

BY: _____
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

SEP 23 2003

FAVORABLE REPORT
PUBLIC SAFTEY &
LEGAL ADMINISTRATION COMMITTEE
DATE: 9/9/03
CHAIR: _____

MUNICIPAL CLERK
ATLANTA, GEORGIA

03-R-1397

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 **E. Jason Orr** in the sum of **$6,850.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained **as a result of property damage due to a sewer backup on February 17, 2003 at 1147 Cahaba 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 Dauphin Johnson
Municipal Clerk, CMC

ADOPTED by the Council SEP 15, 2003
APPROVED by the Mayor SEP 23, 2003

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 03L0201 Date: August 26, 2003

Claimant /Victim **E. JASON ORR**
BY: (Atty) (Ins. Co.) _____
Address: 1147 Cahaba Drive, Atlanta, Georgia 30311
Subrogation: _____ Claim for Property damage $ 8,753.00 Bodily Injury $ _____
Date of Notice: 3/7/03 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 2/17/03 Place: 1147 Cahaba Drive, SW
Department WATERSHED MANAGEMENT Division Sewer Operations
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant sustained property damages from a sewer back up. An investigation determined that the City was on notice of said problem but failed to correct it.

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 _____
City not involved _____ Offer rejected _____ Compromise settlement X
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 $ **6,850.00** Adverse _____ Account charged: 1A01 _____ 2P01 _____ 2J01 X 2H01 _____
Claims Manager: _____ Concur/date 08-27-03
Committee Action: _____ Council Action _____

FORM 23-61

RCS# 5027
9/15/03
2:51 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS 1-13, EXCEPT:03-R-1449
03-R-1460, 03-R-1463
ADOPT

YEAS:	10
NAYS:	0
ABSTENTIONS:	0
NOT VOTING:	4
EXCUSED:	0
ABSENT	2

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

ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 03-O-1347	35. 03-R-1399
2. 03-O-1451	36. 03-R-1400
3. 03-O-1311	37. 03-R-1401
4. 03-O-1443	38. 03-R-1402
5. 03-O-1319	39. 03-R-1403
6. 03-O-1317	40. 03-R-1404
7. 03-O-1441	41. 03-R-1405
8. 03-O-1447	42. 03-R-1406
9. 03-O-1109	43. 03-R-1407
10. 03-O-1329	44. 03-R-1408
11. 03-O-1330	45. 03-R-1409
12. 03-R-1371	46. 03-R-1410
13. 03-R-1372	47. 03-R-1411
14. 03-R-1373	48. 03-R-1412
15. 03-R-1374	49. 03-R-1413
16. 03-R-1437	50. 03-R-1414
17. 03-R-1458	51. 03-R-1415
18. 03-R-1459	52. 03-R-1416
19. 03-R-1383	53. 03-R-1417
20. 03-R-1446	54. 03-R-1418
21. 03-R-1456	55. 03-R-1419
22. 03-R-1316	56. 03-R-1420
23. 03-R-1337	57. 03-R-1421
24. 03-R-1381	58. 03-R-1422
25. 03-R-1382	59. 03-R-1423
26. 03-R-1449	60. 03-R-1424
27. 03-R-1390	61. 03-R-1425
28. 03-R-1392	62. 03-R-1426
29. 03-R-1393	63. 03-R-1427
30. 03-R-1394	64. 03-R-1428
31. 03-R-1395	65. 03-R-1429
32. 03-R-1396	66. 03-R-1430
33. 03-R-1397	67. 03-R-1431
34. 03-R-1398	68. 03-R-1432

Consent I Vote: **10 Yeas; 0Nays: (See RCS #5027) ; 9Yeas; 0Nays: (See RCS #5008)**
Items Removed from the Consent Agenda: 03-R-1460; 03-R-1463; Mitchell abstained on 03-R-1449;