

Entered - 06-06-03 - sb
CL 03L0430 - GWENDOLYN BURNS

03-R -1594

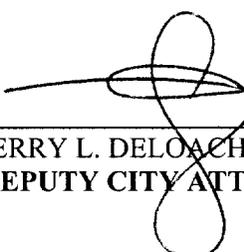
CLAIM OF: **CRAIG INSURANCE SERVICES, Ltd.**
as subrogee of R B Management Services
P.O. Box 40569
Jacksonville, Florida 32203-0569

For property damages alleged to have been sustained from a sewer backup on December 12, 2002 at 40 Marietta Street, NW.

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 **CRAIG INSURANCE SERVICES, Ltd.** as **subrogee of R B Management Services** the sum of \$18,624.63 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 a sewer backup on December 12, 2002 at 40 Marietta Street, NW 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

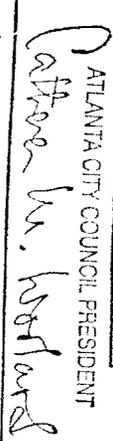
ADOPTED BY
OCT 20 2003
COUNCIL

FAVORABLE REPORT

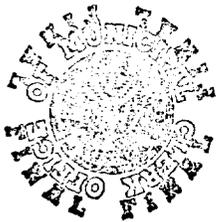
COMM: Public Safety
DATE: 10/14/03
CHAIR: [Signature]
[Signature]
[Signature]
[Signature]
[Signature]
[Signature]

APPROVED
OCT 28 2003

MAYOR

CERTIFIED
OCT 20 2003
ATLANTA CITY COUNCIL PRESIDENT


CERTIFIED
OCT 20 2003
MUNICIPAL CLERK

**MUNICIPAL CLERK
ATLANTA, GEORGIA**

03-R-1594

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 **Craig Insurance Services, Ltd. As subrogee of RB Management Services** in the sum of **\$18,624.63** settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained **from a sewer backup on December 12, 2002 at 40 Marietta Street, NW** as 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,

Phanda Daughlin Johnson
Municipal Clerk, CMC

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

OCT 20, 2003
OCT 28, 2003

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 03L0198

Date: September 30, 2003

Claimant /Victim R B MANAGEMENT SERVICES
BY: (Atty) (Ins. Co.) CRAIG INSURANCE SERVICES, Ltd.
Address: P.O. Box 40569, Jacksonville, Florida 32203-0569
Subrogation: Claim for Property damage \$ 18,624.63 Personal Injury \$
Date of Notice: 6/3/03 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 12/12/02 Place: 40 Marietta Street, NW
Department WATERSHED MANAGEMENT Division Sewer Operations
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant sustained property damage from a sewer backup. An investigation determined that the City was on notice of said problem but failed to correctly assess 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
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 \$ 18,624.63 Adverse Account charged: 1A01 2J01 X 2P01 2H01
Claims Manager: Concur/date 10/01/03
Committee Action: Council Action

RCS# 5099
10/20/03
4:32 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I EXCEPT:03-O-1695, 03-O-1444
03-O-1689, 03-O-1493, 03-O-1494

~~RECONSIDER~~

ADOPT

YEAS: 10
NAYS: 1
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 1

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

CONSENT I

RCS# 5067
10/20/03
2:15 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS 1-17, EXCEPT:03-O-1695,
03-O-1444, 03-O-1689, 03-O-1493
ADOPT

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 1

*Reconsidered 104
in
See RCS#
5098*

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

CONSENT I