

03-*r*-1600

Entered - 05/21/03 - sb  
CL03L0368 - DIANNE C. MITCHELL

CLAIM OF: **STATE AUTO INSURANCE COMPANIES AS  
SUBROGEE OF WILLIAM R. DUPREE**  
P. O. Box 182822  
Columbus, Ohio 43218-2822

For damages alleged to have been sustained as a result of a vehicular accident on March 31, 2003 at 4401 Davidson Avenue.

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 **STATE AUTO INSURANCE COMPANIES AS SUBROGEE OF WILLIAM R. DUPREE** the sum of \$4,392.69 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 a vehicular accident on March 31, 2003 at 4401 Davidson Avenue as is more particularly set forth in the within claim; said sum taken from and charged to account 2P01/529017/T33301, Settlement of Suits and Claims, Department of Law.

APPROVED: **LINDA K. DISANTIS**  
CITY ATTORNEY

BY: \_\_\_\_\_  
**JERRY L. DELOACH**  
DEPUTY CITY ATTORNEY

**FAVORABLE REPORT**

COMM: Public Safety  
DATE: 10/14/03  
CHAIR: \_\_\_\_\_  
\_\_\_\_\_  
Mary Norwood  
C. Williams  
A. J. Smith

**APPROVED**  
OCT 28 2003  
Audley French  
MAYOR

**CERTIFIED**  
OCT 20 2003  
ATLANTA CITY COUNCIL PRESIDENT  
Catherine W. Woodard

**CERTIFIED**  
OCT 20 2003  
Debra L. McSpadden

**ADOPTED BY**  
OCT 20 2003  
**COUNCIL**



**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

**03-R-1600**

**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 **State Auto Insurance Companies as subrogee of William R. Dupree** in the sum of **\$4,392.69** 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 a vehicular accident on March 31, 2003 at 4401 Davidson Avenue** as set forth in the within claim; said sum taken from and charged to Account 2P01/529017/T33001, Settlement of Suits and Claims, Department of Law.

A true copy,

*Rhonda 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. 03L0368

Date: September 30, 2003

Claimant/Victim STATE AUTO INSURANCE COMPANIES AS SUBROGEE OF WILLIAM R. DUPREE

BY: (Atty)(Ins. Co.) \_\_\_\_\_

Address: P. O. Box 182822, Columbus, Ohio 43218-2822

Subrogation: X Claim for Property damage \$ 4,442.69 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 05/08/03 Method: Written, proper X Improper \_\_\_\_\_

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

Date of Occurrence 03/31/03 Place: 4401 Davidson Avenue

Department Public Works Bureau: Solid Waste Services

Employee involved Carl Aaron Disciplinary Action: Written Reprimand

NATURE OF CLAIM: The driver of the City vehicle backed into the claimant's vehicle causing damages in the above amount.

INVESTIGATION:

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_

Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police X Dept Report X Other \_\_\_\_\_

Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

BASIS OF RECOMMENDATION:

Function: Governmental \_\_\_\_\_ Ministerial X

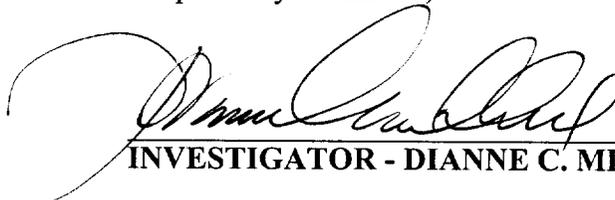
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable \_\_\_\_\_

City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement X

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

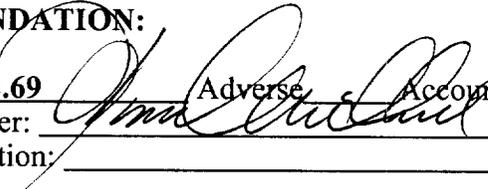
Claimant Negligent \_\_\_\_\_ City Negligent X Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 4,392.69 Adverse \_\_\_\_\_ Account charged: 1A01 \_\_\_\_\_ 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_ 2P01 X

Claims Manager:  Concur/date 09/30/03

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

ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 03-O-1509 2. 03-O-1510 3. 03-O-1706 4. 03-O-1354 5. 03-O-1500 6. 03-O-1501 7. 03-O-1130 8. 03-O-1434 9. 03-O-1512 10. 03-O-1586 11. 03-O-0662 12. 03-R-1669 13. 03-R-1508 14. 03-R-1661 15. 03-R-1662 16. 03-R-1663 17. 03-R-1664 18. 03-R-1691 19. 03-R-1704 20. 03-R-1670 21. 03-R-1671 22. 03-R-1672 23. 03-R-1673 24. 03-R-1674 25. 03-R-1675 26. 03-R-1654 27. 03-R-1655 28. 03-R-1711 29. 03-R-1724 30. 03-R-1725 31. 03-R-1726 32. 03-R-1727 33. 03-R-1656 34. 03-R-1657 35. 03-R-1728 36. 03-R-1594 37. 03-R-1595 38. 03-R-1596 39. 03-R-1597 40. 03-R-1598	41. 03-R-1599 42. 03-R-1600 43. 03-R-1601 44. 03-R-1602----- <b>Items Adversed on Consent</b> 45. 03-R-1603 46. 03-R-1604 47. 03-R-1605 48. 03-R-1606 49. 03-R-1607 50. 03-R-1608 51. 03-R-1609 52. 03-R-1610 53. 03-R-1611 54. 03-R-1612 55. 03-R-1613 56. 03-R-1614 57. 03-R-1615 58. 03-R-1616 59. 03-R-1617 60. 03-R-1618 61. 03-R-1619 62. 03-R-1620 63. 03-R-1621 64. 03-R-1622 65. 03-R-1623 66. 03-R-1624 67. 03-R-1625 68. 03-R-1626 69. 03-R-1627 70. 03-R-1628 71. 03-R-1629 72. 03-R-1630 73. 03-R-1631 74. 03-R-1632 75. 03-R-1633 76. 03-R-1634 77. 03-R-1635 78. 03-R-1636 79. 03-R-1637	80. 03-R-1638 81. 03-R-1639 82. 03-R-1640 83. 03-R-1641 84. 03-R-1642 85. 03-R-1643 86. 03-R-1644 87. 03-R-1645 88. 03-R-1646 89. 03-R-1647 90. 03-R-1648 91. 03-R-1649