**Entered - 10/13/03 - sb**
**CL - 03L0830 LISA CARTER**

**CLAIM OF: KATHERINE TUCKER**
**1250 Euclid Avenue**
**Atlanta, Georgia 30307**

**03-R-2089**

For damages alleged to have been sustained during a sanitation pick up on July 8, 2003 at 1250 Euclid Avenue.

THIS ADVERSED REPORT IS APPROVED

BY: _____
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

DEC 01 2003

CERTIFIED
DEC 01 2003
MUNICIPAL CLERK

DEC 01 2003

ADVERSE REPORT

PUBLIC SAFTEY &
LEGAL ADMINISTRATION COMMITTEE
DATE:
CHAIR:

# 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

December 10, 2003

Katherine Tucker
1250 Euclid Avenue
Atlanta, GA 30307

**03-R-2089**

Dear Ms. Tucker:

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 December 01, 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.**

Yours very truly,

Rhonda Dauphin Johnson

Rhonda Dauphin Johnson, CMC
Municipal Clerk

**cc: Claims Division/Law Department**

## DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. **03L0830** Date: November 11, 2003

Claimant /Victim **KATHERINE TUCKER**
BY: (Atty) (Ins. Co.) _____
Address: 1250 Euclid Avenue Atlanta, Georgia 30307
Subrogation: _____ Claim for Property damage $ 160.00 Bodily Injury $ _____
Date of Notice: 10/07/03 Method: Written, proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 07/08/03 Place: 1250 Euclid Avenue
Department Public Works Bureau: Solid Waste Services Division: _____
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges that her trash cans were destroyed by a city employee during a routine sanitation pick up. However, claimant has failed to provide information necessary to substantiate her claim. Furthermore, claimant has withdrawn her claim.

**INVESTIGATION:**

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____
Pictures _____ Diagrams _____ Reports: Police _____ Dept Report X Other X
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 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 _____ 2P01 _____
Claims Manager: _____ Concur/date 11/07/03
Committee Action: _____ Council Action _____

FORM 23-61

RCS# 5190
12/01/03
5:15 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I EXCEPT: 1698,1851,1852,1881,
1309,2087,1719,1845,2164,
ADOPT

| | |
|---|---|
| YEAS: | 15 |
| NAYS: | 0 |
| ABSTENTIONS: | 0 |
| NOT VOTING: | 1 |
| 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 | Y Willis |
| Y Winslow | Y Muller | Y Boazman | NV Woolard |

CONSENT I

| | | | 12-01-03 Council Meeting |
|---|---|---|---|
| **ITEMS ADOPTED ON CONSENT** | **ITEMS ADOPTED ON CONSENT** | **ITEMS ADVERSED ON CONSENT** | **ITEMS ADVERSED ON CONSENT** |
| 1. 03-O-1875 | 42. 03-R-1830 | 81. 03-R-2030 | 122. 03-R-2071 |
| 2. 03-O-1876 | 43. 03-R-1849 | 82. 03-R-2031 | 123. 03-R-2072 |
| 3. 03-O-1965 | 44. 03-R-2120 | 83. 03-R-2032 | 124. 03-R-2073 |
| 4. 03-O-2153 | 45. 03-R-2121 | 84. 03-R-2033 | 125. 03-R-2074 |
| 5. 03-O-1376 | 46. 03-R-2122 | 85. 03-R-2034 | 126. 03-R-2075 |
| 6. 03-O-1963 | 47. 03-R-2125 | 86. 03-R-2035 | 127. 03-R-2076 |
| 7. 03-O-1841 | 48. 03-R-2160 | 87. 03-R-2036 | 128. 03-R-2077 |
| 8. 03-O-1377 | 49. 03-R-2000 | 88. 03-R-2037 | 129. 03-R-2078 |
| 9. 03-O-1837 | 50. 03-R-2001 | 89. 03-R-2038 | 130. 03-R-2079 |
| 10. 03-O-1880 | 51. 03-R-2002 | 90. 03-R-2039 | 131. 03-R-2080 |
| 11. 03-O-1896 | 52. 03-R-2003 | 91. 03-R-2040 | 132. 03-R-2081 |
| 12. 03-O-1897 | 53. 03-R-2126 | 92. 03-R-2041 | 133. 03-R-2082 |
| 13. 03-O-1898 | 54. 03-R-2127 | 93. 03-R-2042 | 134. 03-R-2083 |
| 14. 03-O-1888 | **Items Adversed on consent** | 94. 03-R-2043 | 135. 03-R-2084 |
| 15. 03-O-2108 | | 95. 03-R-2044 | 136. 03-R-2085 |
| 16. 03-O-2142 | 55. 03-R-2004 | 96. 03-R-2045 | 137. 03-R-2086 |
| 17. 03-O-2143 | 56. 03-R-2005 | 97. 03-R-2046 | 138. 03-R-2087 |
| 18. 03-O-2144 | 57. 03-R-2006 | 98. 03-R-2047 | 139. 03-R-2088 |
| 19. 03-O-1899 | 58. 03-R-2007 | 99. 03-R-2048 | 140. 03-R-2089 |
| 20. 03-O-2146 | 59. 03-R-2008 | 100. 03-R-2049 | 141. 03-R-2090 |
| 21. 03-R-2110 | 60. 03-R-2009 | 101. 03-R-2050 | 142. 03-R-2091 |
| 22. 03-R-2111 | 61. 03-R-2010 | 102. 03-R-2051 | 143. 03-R-2128 |
| 23. 03-R-2112 | 62. 03-R-2011 | 103. 03-R-2052 | 144. 03-R-2129 |
| 24. 03-R-2113 | 63. 03-R-2012 | 104. 03-R-2053 | 145. 03-R-2130 |
| 25. 03-R-2114 | 64. 03-R-2013 | 105. 03-R-2054 | 146. 03-R-2131 |
| 26. 03-R-2115 | 65. 03-R-2014 | 106. 03-R-2055 | 147. 03-R-2132 |
| 27. 03-R-2116 | 66. 03-R-2015 | 107. 03-R-2056 | 148. 03-R-2133 |
| 28. 03-R-2139 | 67. 03-R-2016 | 108. 03-R-2057 | |
| 29. 03-R-2140 | 68. 03-R-2017 | 109. 03-R-2058 | |
| 30. 03-R-2154 | 69. 03-R-2018 | 110. 03-R-2059 | |
| 31. 03-R-2166 | 70. 03-R-2019 | 111. 03-R-2060 | |
| 32. 03-R-2117 | 71. 03-R-2020 | 112. 03-R-2061 | |
| 33. 03-R-2158 | 72. 03-R-2021 | 113. 03-R-2062 | |
| 34. 03-R-2156 | 73. 03-R-2022 | 114. 03-R-2063 | |
| 35. 03-R-2165 | 74. 03-R-2023 | 115. 03-R-2064 | |
| 36. 03-R-2118 | 75. 03-R-2024 | 116. 03-R-2065 | |
| 37. 03-R-2119 | 76. 03-R-2025 | 117. 03-R-2066 | |
| 38. 03-R-2124 | 77. 03-R-2026 | 118. 03-R-2067 | |
| 39. 03-R-2150 | 78. 03-R-2027 | 119. 03-R-2068 | |
| 40. 03-R-2152 | 79. 03-R-2028 | 120. 03-R-2069 | |
| 41. 03-R-2159 | 80. 03-R-2029 | 121. 03-R-2070 | |