

Entered - 12/13/99 - sb  
CL99L0842 - DIANNE C. MITCHELL

CLAIM OF: **LAYTONA M. JONES**  
**1630 Ridgemill Terrace**  
**Dacula, Georgia 3001**

**03- R-2192**

For damages alleged to have been sustained as a result of vehicular damage due to driving over an unsecured utility cut on October 24, 1999 at North Highland Avenue and Adair.

THIS ADVERSED REPORT IS APPROVED

BY: \_\_\_\_\_

**JERRY L. DELOACH**  
**DEPUTY CITY ATTORNEY**



**ADVERSE REPORT**  
**PUBLIC SAFETY &**  
**LEGAL ADMINISTRATION COMMITTEE**

DATE: \_\_\_\_\_

CHAIR: \_\_\_\_\_

\_\_\_\_\_

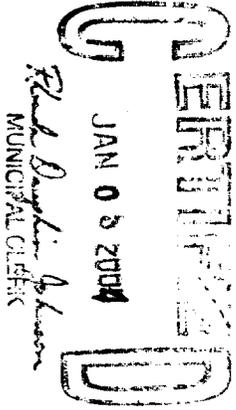
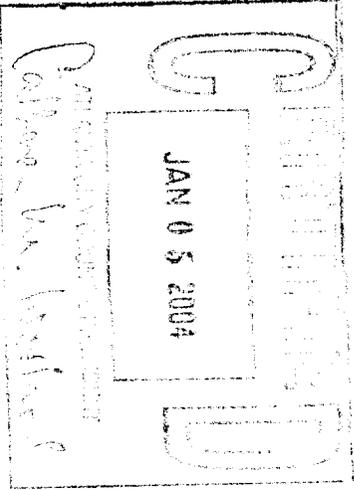
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JAN 05 2004



## OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

January 12, 2004

55 TRINITY AVENUE, S.W.  
SECOND FLOOR, EAST  
SUITE 2700  
ATLANTA, GEORGIA 30335  
(404) 330-6033  
FAX (404) 658-6103

Laytona M. Jones  
1630 Ridgemill Terrace  
Dacula, GA 30019

03-R-2192

Dear Ms. Jones:

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 January 05, 2004. 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, CMC  
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 99L0842

Date: November 7, 2003

Claimant /Victim LAYTONA M. JONES

BY: (Atty)

Address: 1630 Ridgemill Terrace, Dacula, Georgia 30019

Subrogation: Claim for Property damage \$ 1,260.70 Bodily Injury \$

Date of Notice: 12/01/99 Method: Written, proper X Improper

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

Date of Occurrence 10/24/99 Place: North Highland and Adair

Department Division:

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges her vehicle was damaged when she drove over an unsecured utility cut in the roadway. The investigation determined that United Water Services Atlanta was responsible for the work in the roadway. The claim was forwarded to United Water Services Atlanta, for investigation and handling.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral

Pictures Diagrams Reports: Police Dept Report Other

Traffic citations issued: City Driver Claimant Driver

Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental Ministerial

Improper Notice More than Six Months Other Damages reasonable

City not involved X Offer rejected Compromise settlement

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

Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,

[Signature of Dianne C. Mitchell]

INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01 2P01

Claims Manager: [Signature] Concur/date 11/07/03

Committee Action: Council Action

RCS# 5288  
1/05/04  
3:23 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PG 1-9 EXCEPT;02-O-2087,  
03-R-2173  
ADOPT

YEAS: 10  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 6  
EXCUSED: 0  
ABSENT 0

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

CONSENT I

<b>1-05-04 Council Meeting</b>	
<b>ITEMS ADOPTED ON CONSENT</b>	<b>ITEMS ADVERSED ON CONSENT</b>
1. 03-O-2225	<b>32.</b> 03-R-2192
2. 03-O-2161	33. 03-R-2193
3. 03-O-2221	34. 03-R-2194
4. 03-O-2175	35. 03-R-2195
5. 03-O-2229	36. 03-R-2196
6. 03-R-2171	37. 03-R-2197
7. 03-R-2214	38. 03-R-2198
8. 03-R-2215	39. 03-R-2199
9. 03-R-2233	40. 03-R-2200
10. 03-R-2219	41. 03-R-2201
11. 03-R-2172	42. 03-R-2202
12. 03-R-2174	43. 03-R-2203
13. 03-R-2176	44. 03-R-2204
14. 03-R-2246	45. 03-R-2205
15. 03-R-2247	46. 03-R-2206
16. 03-R-2248	47. 03-R-2207
17. 03-R-2226	48. 03-R-2208
18. 03-R-2232	49. 03-R-2209
19. 03-R-2237	50. 03-R-2210
20. 03-R-2178	
21. 03-R-2181	
22. 03-R-2182	
23. 03-R-2183	
24. 03-R-2184	
25. 03-R-2185	
26. 03-R-2186	
27. 03-R-2187	
28. 03-R-2188	
29. 03-R-2189	
30. 03-R-2190	
31. 03-R-2191	