

Entered - 10/03/03 - sb  
CL03L0789 - DIANNE C. MITCHELL

03-R-2196

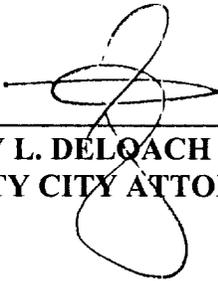
CLAIM OF: **KURT A. BRAUNSROTH,**  
through his attorney,  
**Pamela Johnson**  
**581 Simpson Street, NW**  
**Atlanta, Georgia 30314-3839**

For damages alleged to have been sustained as a result of not receiving his salary increment in July, 2003 pursuant to City Ordinance 03-O-0107.

THIS ADVERSED REPORT IS APPROVED

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

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



## ADVERSE REPORT

PUBLIC SAFETY &

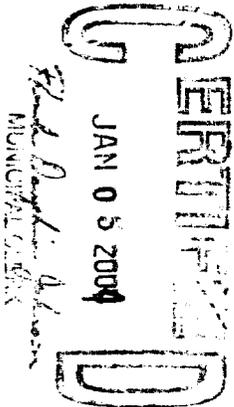
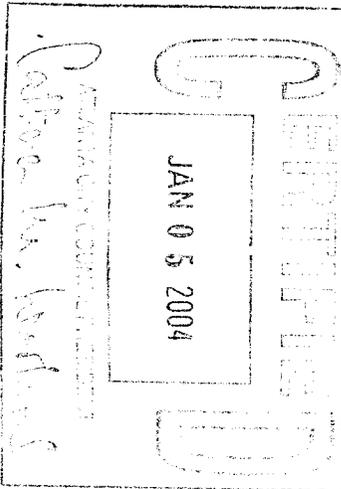
LEGAL ADMINISTRATION COMMITTEE

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

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ADVERSED  
JAN 05 2004





## OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC  
MUNICIPAL CLERK

January 14, 2004

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

Pamela Johnson  
Attorney at Law  
581 Simpson St., NW  
Atlanta, GA 30314-3839

03-R-2196

RE: Kurt A. Braunsroth

Dear Ms. Johnson:

I sincerely regret that your client has been adversely affected by the circumstances raised in his/her 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 client's 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. 02L0789

Date: November 25, 2003

Claimant /Victim KURT A. BRAUNSROTH

BY: (Atty) Pamela Johnson

Address: 581 Simpson Street, NW, Atlanta, Georgia 30314-3839

Subrogation: Claim for Property damage \$ Not Stated Bodily Injury \$           

Date of Notice: 10/03/03 Method: Written, proper X Improper           

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

Date of Occurrence 07/03 Place: 55 Trinity Avenue

Department Finance Division:           

Employee involved            Disciplinary Action:           

NATURE OF CLAIM: The claimant alleges that he has been damaged as a result of not receiving his salary increment in a timely manner pursuant to City Ordinance 03-O-0107. The investigation determined that the claimant was entitled to a salary increment that was processed on September 24, 2003 and was retroactive to March 11, 2003.

INVESTIGATION:

Statements: City employee X Claimant            Others            Written            Oral X

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 X Ministerial           

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           

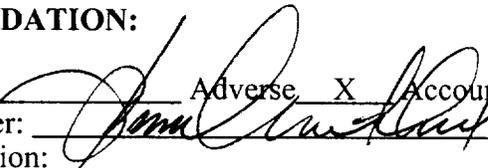
Claimant Negligent            City Negligent            Joint            Claim Abandoned           

Respectfully submitted,

  
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

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

Claims Manager:  Concur/date 11/25/03

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	32. 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	