



CITY COUNCIL  
ATLANTA, GEORGIA

A RESOLUTION

04- R -1918

BY PUBLIC SAFETY AND LEGAL  
ADMINISTRATION COMMITTEE

**A RESOLUTION AUTHORIZING PAYMENT IN THE AMOUNT OF \$4,667.85 IN SETTLEMENT OF THE CLAIM OF JENNIFER JONES, THROUGH HER INSURANCE CARRIER, ALLSTATE INSURANCE COMPANY, AGAINST THE CITY OF ATLANTA TO BE PAID FROM ACCOUNT NUMBER 2P01(SOLID WASTE SERVICES)529017 (PROPERTY LIQUIDATION)T31001(NON DEPARTMENTAL) AND FOR OTHER PURPOSES**

**WHEREAS**, Jennifer Jones, through her insurance carrier, Allstate Insurance Company, has filed a claim against the City of Atlanta seeking damages arising out of a collision with a vehicle operated by an employee of the Bureau of Solid Waste Services; and

**WHEREAS**, the collision occurred as a result of the City employee backing into Ms. Jones' vehicle causing damages in the above amount; and

**WHEREAS**, the claimant's insurance carrier had originally asserted damages in the amount of \$3,667.66 and has provided proof of additional damages to its insured's vehicle and has agreed to accept the total sum of \$4,667.85 in full and complete satisfaction and settlement of its subrogation claim against the City of Atlanta; and

**WHEREAS**, the City Attorney has recommended that the claim of Jennifer Jones, through her insurance carrier, Allstate Insurance Company, be settled for the sum of \$4,667.85; and

**WHEREAS**, the Council of the City of Atlanta adopted a favorable recommendation and approved payment in the amount of \$3,667.66 on September 20, 2004.

**THEREFORE, BE IT RESOLVED** that Resolution 04-R-1596 be hereby rescinded.

**BE IT FURTHER RESOLVED** that the Council of the City of Atlanta, Georgia that \$4,667.85 be paid by the City of Atlanta in satisfaction of any and all claims of Jennifer Jones, through her insurance carrier, Allstate Insurance Company, may have stemmed from damages sustained due to a motor vehicle collision on or about July 15, 2004.

**BE IT FURTHER RESOLVED** that the Chief Financial Officer be and hereby authorized to pay the above mentioned sum from account number 2P01 (Solid Waste Services) 529017 (Property Liquidation) T31001 (Non Departmental).

A true copy,

*Rhonda Daughlin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

NOV 01, 2004  
NOV 05, 2004

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 04L0543

Date: October 12, 2004

Claimant /Victim ALLSTATE INSURANCE COMPANY as subrogee of Jennifer Jones  
BY: (Atty) (Ins. Co.) \_\_\_\_\_  
Address: P.O. Box 227257 Dallas, Texas 75222-7257  
Subrogation: X Claim for Property damage \$ 4,667.85 Bodily Injury \$ \_\_\_\_\_  
Date of Notice: 08/16/04 Method: Written, proper X Improper \_\_\_\_\_  
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence 07/15/04 Place: 317 Chester Avenue, SE  
Department Public Works Bureau: Solid Waste Services Division: \_\_\_\_\_  
Employee involved Michael Garrett Disciplinary Action: Pending

NATURE OF CLAIM: The driver of the city vehicle backed into the claimant's vehicle causing damages in the above amount. The claimant has elected to receive payment for her damages through her insurance carrier and they have filed a subrogation claim. However, the insurance carrier has provided proof of additional damages to its insured's vehicle.

INVESTIGATION:

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_  
Pictures X Diagrams \_\_\_\_\_ Reports: Police X Dept Report X Other \_\_\_\_\_  
Traffic citations issued: City Driver X Claimant Driver \_\_\_\_\_  
Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

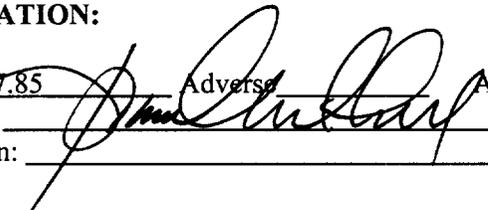
BASIS OF RECOMMENDATION:

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 - LISA CARTER

RECOMMENDATION:

Pay \$ 4,667.85 Adverse  Account charged: 1A01 \_\_\_\_\_ 2J01 \_\_\_\_\_ 2P01 X  
Claims Manager: \_\_\_\_\_ Concur/date 10/15/04  
Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

RCS# 6199  
11/01/04  
1:42 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS 3-15

ADOPT

YEAS: 11  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 3

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

CONSENT I

		11-01-04 Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 04-O-1626	38. 04-R-1878	48. 04-R-1162
2. 04-O-1795	39. 04-R-1940	49. 04-R-1172
3. 04-O-1796	40. 04-R-1908	50. 04-R-1178
4. 04-O-1828	41. 04-R-1909	51. 04-R-1782
5. 04-O-1819	42. 04-R-1910	52. 04-R-1900
6. 04-O-1929	43. 04-R-1911	53. 04-R-1901
7. 04-O-1758	44. 04-R-1912	54. 04-R-1902
8. 04-O-1932	45. 04-R-1913	55. 04-R-1903
9. 04-O-1430	46. 04-R-1914	56. 04-R-1904
10. 04-O-1926	47. 04-R-1915	57. 04-R-1905
11. 04-O-1885		58. 04-R-1906
12. 04-O-1937		59. 04-R-1907
13. 04-O-1941		
14. 04-R-1893		
15. 04-R-1894		
16. 04-R-1895		
17. 04-R-1916		
18. 04-R-1917		
19. 04-R-1918		
20. 04-R-1920		
21. 04-R-1896		
22. 04-R-1897		
23. 04-R-1898		
24. 04-R-1899		
25. 04-R-1930		
26. 04-R-1884		
27. 04-R-1886		
28. 04-R-1888		
29. 04-R-1889		
30. 04-R-1890		
31. 04-R-1891		
32. 04-R-1928		
33. 04-R-1938		
34. 04-R-1870		
35. 04-R-1871		
36. 04-R-1874		
37. 04-R-1945		

04-R-1918

(Do Not Write Above This Line)

A RESOLUTION

BY PUBLIC SAFETY AND  
LEGAL ADMINISTRATION COMMITTEE

A RESOLUTION AUTHORIZING PAYMENT  
IN THE AMOUNT OF \$4,667.85 IN  
SETTLEMENT OF THE CLAIM OF ALLSTATE  
INSURANCE COMPANY as subrogee of  
JENNIFER JONES. AGAINST THE CITY OF  
ATLANTA.

ADOPTED BY

APPROVED BY:  
NOV 0 1 2004

COUNCIL

JERRY L. DELOACH  
DEPUTY CITY ATTORNEY

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee

Date

Chair

Referred to

Committee

Date

Chair

Action:  
Fav, Adv, Hold (see rev. side)

Other:

Refer To

Committee

Date

Chair

Action:  
Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:  
Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:  
Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

2nd

1st & 2nd

Readings

3rd

Consent

V Vote

RC Vote

CERTIFIED

CERTIFIED

NOV 0 1 2004

ATLANTA CITY COUNCIL PRESIDENT

*Stan M. Burdette*

CERTIFIED

NOV 0 1 2004

*Rhonda Davenport Johnson*  
MUNICIPAL CLERK

MAYOR'S ACTION

*Andrew...*  
NOV 0 5 2004

MAYOR