

COUNCIL PRESIDENT PROTREM

RECEIVED
JUL 06 2004

Entered - 03/09/04 - sb
CL04L0161 - DIANNE C. MITCHELL

CLAIM OF: **MARTA**
2424 Piedmont Road, NE
Atlanta, Georgia 30324

04-*a*-1187

For damages alleged to have been sustained as a result of a vehicular accident on January 25, 2004 at Hill Street, SE and Interstate 20 westbound off ramp.

BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE:

RECEIVED
JUL 06 2004
Municipal Clerk

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 **MARTA** the sum of **\$7,725.54** 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 January 25, 2004 at Hill Street, SE and Interstate 20 westbound off ramp as is more particularly set forth in the within claim; said sum taken from and charged to account **1A01/529017/T31001**.

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

ADOPTED BY
JUL 06 2004
COUNCIL

BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

FAVORABLE REPORT

**PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

DATE: 6/29/04

CHAIR: H. L. Dieg

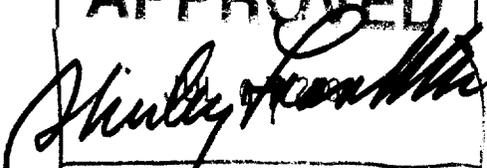
Vunell Musley

Ray Norwood

C. P. Mink

Hal Spivey

Carla Smith

APPROVED

MAYOR



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

04-R-1187

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 MARTA in the sum of \$7,725.54 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 **January 25, 2004 at Hill Street, SE and Interstate 20 Westbound**, as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,


Deputy Clerk

**ADOPTED by the Council
APPROVED by the Mayor**

July 6, 2004
July 14, 2004

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 04L0161

Date: June 16, 2004

Claimant /Victim MARTA

BY: (Atty)(Ins. Co.) _____

Address: 2424 Piedmont Road, NE, Atlanta, Georgia 30324

Subrogation: _____ Claim for Property damage \$ 7,725.54 Bodily Injury \$ _____

Date of Notice: 03/08/04 Method: Written, proper X Improper _____

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

Date of Occurrence 01/25/04 Place: Hill Street, SE and Interstate 20 westbound off ramp

Department Police Division: _____

Employee involved Aaron Robinson Disciplinary Action: No Action Taken

NATURE OF CLAIM: The brakes on the City fire vehicle failed causing the driver of same to collide with a MARTA bus and causing extensive damages to the bus.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____

Pictures _____ 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 X Ministerial _____

Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable X

City not involved _____ Offer rejected _____ Compromise settlement _____

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

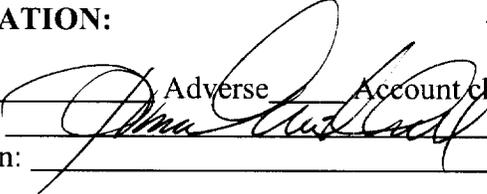
Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 7,725.54 Adverse _____ Account charged: 1A01 X 2J01 _____ 2H01 _____ 2P01 _____

Claims Manager:  Concur/date 06/18/04

Committee Action: _____ Council Action _____

RCS# 5863
7/06/04
1:32 PM

Atlanta City Council

Regular Session

CONSENT I

04-R-1187 AND 04-R-1179

ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 1
NOT VOTING: 0
EXCUSED: 0
ABSENT 0

Y Smith	Y Winslow	Y Shook	Y Martin	A Mitchell
Y Starnes	Y Archibong	Y Muller	Y Maddox	Y Norwood
Y Young	Y Fauver	Y Moore	Y Mosley	Y Willis

CONSENT I