Entered - 12/07/99 - sb
CL99L0845 - DIANNE C. MITCHELL

CLAIM OF: **DAVID RAINEY**
1898 Shepherd Circle
Atlanta, Georgia 30311

04-R-1320

For damages alleged to have been sustained as a result of vehicular damage due to a collapsed sewer on October 10, 1999 at 1265 Tuckawanna Drive, SW.

BY PUBLIC SAFETY AND
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 **DAVID RAINEY** the sum of **$2,777.20** 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 vehicular damage due to a collapsed sewer on October 10, 1999 at 1265 Tuckawanna Drive, SW as is more particularly set forth in the within claim; said sum taken from and charged to account **2j01/529017/Q30001**.

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

BY: _____
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

RECEIVED
AUG 16 2004
COUNCIL PRESIDENT

RECEIVED
AUG 16 2004
MUNICIPAL CLERK

ADOPTED BY
AUG 16 2004
COUNCIL

APPROVED
AUG
MAYOR

FAVORABLE REPORT
PUBLIC SAFTEY &
LEGAL ADMINISTRATION COMMITTEE
DATE: 7/27/04
CHAIR:
C. T. Martin

MUNICIPAL CLERK
ATLANTA, GEORGIA

04-R-1320

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 **David Rainey** in the sum of **$2,777.20** 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 vehicular damage due to a collapsed sewer ,on October 10,1999 at 1265 Tuckawanna Drive, SW** as is more particularly set forth in the within claim; said sum taken from and charged to Account 2J01/529017/Q30001, Settlement of Suits and Claims, Department of Law.

A true copy,
Rhonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED by the Council AUG 16, 2004
APPROVED by the Mayor AUG 20, 2004

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. **99L0845** Date: June 16, 2004

Claimant /Victim **DAVID RAINEY**
BY: (Atty)(Ins. Co.)
Address: 1898 Shepherd Circle, Atlanta, Georgia 30311
Subrogation: _____ Claim for Property damage $ **2,777.20** Bodily Injury $ _____
Date of Notice: 12/07/99 Method: Written, proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 10/10/99 Place: 1265 Tuckawanna Drive
Department **Wastewater Management** Bureau: **Waste Water**
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant's vehicle was damaged when he drove over a section of roadway that had collapsed due to a sewer construction project.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____
Pictures X Diagrams _____ Reports: Police X Dept Report X 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 _____ 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 $ **2,777.20** Adverse Account charged: 1A01 _____ 2J01 X 2H01 _____ 2P01 _____
Claims Manager: _____ Concur/date 07/16/04
Committee Action: _____ Council Action _____

FORM 23-61

RCS# 5937
8/16/04
2:51 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PG(S) 1-14 EXCEPT:04-R-1339
04-R-1391
ADOPT

YEAS:	13
NAYS:	0
ABSTENTIONS:	0
NOT VOTING:	3
EXCUSED:	0
ABSENT	0

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

		8-16-4 Council Meeting
ITEMS ADOPTED ON CONSENT	**ITEMS ADOPTED ON CONSENT**	**ITEMS ADVERSED ON CONSENT**
1. 04-O-1375	41. 04-R-1317	59. 04-R-1336
2. 04-O-1206	42. 04-R-1400	60. 04-R-1337
3. 04-O-1209	43. 04-R-1320	61. 04-R-1338
4. 04-O-1354	44. 04-R-1321	62. 04-R-1340
5. 04-O-1357	45. 04-R-1322	63. 04-R-1341
6. 04-O-1366	46. 04-R-1323	64. 04-R-1342
7. 04-O-0437	47. 04-R-1324	65. 04-R-1343
8. 04-O-1350	48. 04-R-1325	66. 04-R-1344
9. 04-O-1351	49. 04-R-1326	67. 04-R-1345
10. 04-O-1368	50. 04-R-1327	68. 04-R-1346
11. 04-O-1247	51. 04-R-1328	69. 04-R-1347
12. 04-O-1221	52. 04-R-1329	70. 04-R-1348
13. 04-R-1372	53. 04-R-1330	
14. 04-R-1273	54. 04-R-1331	
15. 04-R-1388	**55.** 04-R-1332	
16. 04-R-1402	56. 04-R-1333	
17. 04-R-1403	57. 04-R-1334	
18. 04-R-1404	58. 04-R-1335	
19. 04-R-1304		
20. 04-R-1392		
21. 04-R-1393		
22. 04-R-1394		
23. 04-R-1395		
24. 04-R-1396		
25. 04-R-1397		
26. 04-R-1398		
27. 04-R-1355		
28. 04-R-1356		
29. 04-R-1373		
30. 04-R-1308		
31. 04-R-1309		
32. 04-R-1310		
33. 04-R-1311		
34. 04-R-1349		
35. 04-R-1367		
36. 04-R-1370		
37. 04-R-1312		
38. 04-R-1313		
39. 04-R-1315		
40. 04-R-1316		