

Entered - 04/29/04 - sb  
CL - 04L0299 - LISA CARTER

CLAIM OF: BRIAN MOIR  
4117 Forest Court  
Douglasville, Georgia 30135

04-R -1332

For damages alleged to have been sustained as a result of an automobile accident on February 9, 2004 at Camp Creek Parkway and Enon Road.

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 **BRIAN MOIR** the sum of **\$2,228.64** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained as a result of an automobile accident on February 9, 2004 at Camp Creek Parkway and Enon Road as is more particularly set forth in the within claim; said sum taken from and charged to account **2P01/529017/T31001**.

APPROVED: LINDA K. DISANTIS  
CITY ATTORNEY

BY: *Jerry L. DeLoach*  
JERRY L. DELOACH  
DEPUTY CITY ATTORNEY

FAVORABLE REPORT

PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE

DATE 7/27/04

OR  
*Theresa Mertes*  
*Mary Wood*  
*Clara Stinson*  
*C. T. Mertes*

ADOPTED BY  
AUG 16 2004  
COUNCIL

CERTIFIED  
AUG 16 2004  
COUNCIL PRESIDENT

CERTIFIED  
AUG 16 2004  
Municipal Clerk

APPROVED  
*Phillip Lewis*  
AUG 20 2004  
MAYOR



**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

**04-R-1332**

**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 **Brian Moir** in the sum of **\$2,228.64** 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 an automobile accident on February 9, 2004 at Camp Creek Parkway and Enon Road**, as is more particularly set forth in the within claim; said sum taken from and charged to Account 2P01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

*Rhonda Daughtry Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

AUG 16, 2004  
AUG 20, 2004

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 04L0299

Date: July 13, 2004

Claimant /Victim BRIAN MOIR  
BY: (Atty) (Ins. Co.) \_\_\_\_\_  
Address: 4117 Forest Court  
Subrogation: X Claim for Property damage \$ 1,660.76 Bodily Injury \$ 567.88  
Date of Notice: 04/19/04 Method: Written, proper X Improper \_\_\_\_\_  
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence 02/09/04 Place: Camp Creek Parkway and Enon Road  
Department Public Works Bureau: Solid Waste Services Division: \_\_\_\_\_  
Employee involved Michael C. Ford Disciplinary Action: Termination

NATURE OF CLAIM: The driver of the city vehicle rear ended the claimant's vehicle causing damages in the above amount. The claimant has elected to receive payment for his damages through his insurance carrier. However, this settlement is for items not covered through his insurance policy which include; his deductible, rental car expenses, towing fees, and medical bills.

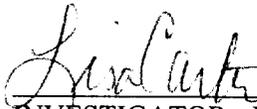
INVESTIGATION:

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

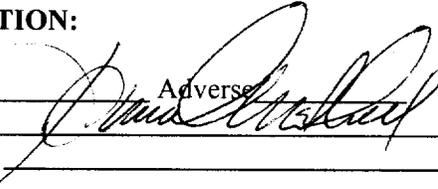
BASIS OF RECOMMENDATION:

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 \$ 2,228.64 Adverse \_\_\_\_\_ Account charged: 1A01 \_\_\_\_\_ 2J01 \_\_\_\_\_ 2P01 X  
Claims Manager:  Concur/date 07/15/04  
Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

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

CONSENT I

		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		