

Entered - 06/10/04 - sb  
CL - 04L0384 - LISA CARTER

04-R -1334

CLAIM OF: GARRETT N. CLUM  
5535 Taylor Road  
Alpharetta, Georgia 30022

For damages alleged to have been sustained due to driving over an unsecured metal plate on May 4, 2004 at Spring Street and Peachtree Street.

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 GARRETT N. CLUM the sum of \$869.12 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 due to driving over an unsecured metal plate on May 4, 2004 at Spring Street and Peachtree Street 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*  
JERRY L. DELOACH  
DEPUTY CITY ATTORNEY

FAVORABLE REPORT

PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE

DATE: 7/27/04

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

*W. J. ...*

*Ray ...*

*Clara ...*

*C. ...*

APPROVED  
*Shirley ...*  
MAYOR

ADOPTED BY  
AUG 16 2004  
COUNCIL

CERTIFIED  
AUG 16 2004  
COUNCIL PRESIDENT

CERTIFIED  
AUG 16 2004  
MUNICIPAL CLERK



MUNICIPAL CLERK  
ATLANTA, GEORGIA

04-R-1334

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 **Garrett N. Clum** in the sum of **\$869.12** settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained due to driving over an unsecured metal plat on **May 4, 2004 at Spring Street and Peachtree Street**, 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,

*Phonda Daughtrio 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. 04L0384

Date: July 13, 2004

Claimant /Victim GARRETT N. CLUM

BY: (Atty) (Ins. Co.) \_\_\_\_\_

Address: 5535 Taylor Road Alpharetta, Georgia 30022

Subrogation: \_\_\_\_\_ Claim for Property damage \$ 948.66 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 06/08/04 Method: Written, proper  Improper \_\_\_\_\_

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

Date of Occurrence 05/04/04 Place: Spring Street and Peachtree Street

Department Watershed Management Bureau: Water Division: \_\_\_\_\_

Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

NATURE OF CLAIM: The claimant alleges that he sustained vehicular damages due to driving over unsecured metal plates at Spring Street and Peachtree Street causing damages in the above amount. The investigation determined that the Water Bureau had been working at this location and failed to properly secure the metal plates.

INVESTIGATION:

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_

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 \_\_\_\_\_ Ministerial

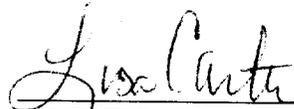
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable

City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

Claimant Negligent \_\_\_\_\_ City Negligent  Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

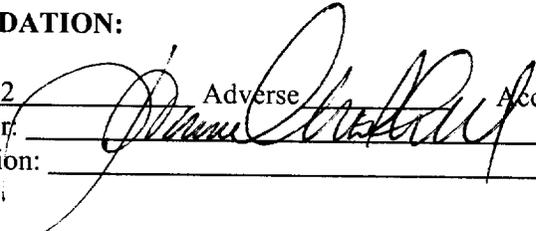
Respectfully submitted,



INVESTIGATOR - LISA CARTER

RECOMMENDATION:

Pay \$ 869.12 Adverse \_\_\_\_\_ Account charged: 1A01 \_\_\_\_\_ 2J01  2H01 \_\_\_\_\_

Claims Manager:  Concur/date 07/13/04

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		