Entered - 07/13/04 - sb
CL - 04L0444 - LISA CARTER

CLAIM OF: LEE AND KAREN HOOPER
53 Highland Drive, NE
Atlanta, Georgia 30305

04-R-2160

ADOPTED BY
DEC 06 2004
COUNCIL

For damages alleged to have been sustained as a result of a sewer back up on March 19, 2004 at 53 Highland Drive, NE.

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 **LEE AND KAREN HOOPER** the sum of **$9,771.01** 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 a sewer back up on March 19, 2004 at 53 Highland Drive, NE as is more particularly set forth in the within claim; said sum taken from and charged to account **2J01/529017/Q30001.**

APPROVED
DEC 06 2004
ATLANTA CITY COUNCIL PRESIDENT

APPROVED: LINDA K. DISANTIS
CITY ATTORNEY

BY: _____
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

FAVORABLE REPORT

PUBLIC SAFTEY &
LEGAL ADMINISTRATION COMMITTEE
DATE: 11/30/04
CHAIR: _____
_____
_____
C. T. Martin
_____
_____
_____

APPROVED
DEC 10 2004
MAYOR

MUNICIPAL CLERK
ATLANTA, GEORGIA

04-R-2160

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 **Lee and Karen Hooper** in the sum of **$9,771.01** 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 sewer back up on March 19, 2004 at 53 Highland Drive, NE** 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 DEC 06, 2004
APPROVED by the Mayor DEC 10, 2004

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. **04L0444** Date: November 16, 2004

Claimant /Victim **LEE AND KAREN HOOPER**
BY: (Atty) (Ins. Co.) _____
Address: 53 Highland Drive, NE Atlanta, Georgia 30305
Subrogation: _____ Claim for Property damage $ 10,617.30 Bodily Injury $ _____
Date of Notice: 07/13/04 Method: Written, proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 03/19/04 Place: 53 Highland Drive, NE
Department Watershed Management Bureau: _____ Division: Sewer Operation
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimants allege that they sustained damages as a result of a sewer back up at 53 Highland Drive, NE. However, the City of Atlanta was on notice of the existence of a problem at this location prior to the incident involving the claimant, but failed to make repairs in a timely manner.

INVESTIGATION:

Statements: City employee X Claimant X Others _____ Written _____ Oral X
Pictures X Diagrams _____ Reports: Police _____ 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 _____
City not involved _____ Offer rejected _____ Compromise settlement X
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

Respectfully submitted,

Lisa Carter
INVESTIGATOR - LISA CARTER

RECOMMENDATION:

Pay $ 9,771.01 Adverse Account charged: 1A01 _____ 2J01 X 2H01 _____
Claims Manager: _____ Concur/date 11/17/04
Committee Action: _____ Council Action _____

FORM 23-61

RCS# 6311
12/06/04
5:21 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PG(S) 5-25 EXCEPT 04-O-2102
04-R-2231 04-R-2224 04-R-2203
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	Y Martin	NV Norwood
Y Young	Y Shook	Y Maddox	NV Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

			12-06-04 Council Meeting
ITEMS ADOPTED ON CONSENT	**ITEMS ADOPTED ON CONSENT**	**ITEMS ADOPTED ON CONSENT**	**ITEMS ADOPTED ON CONSENT**
1. 04-O-2043	42. 04-R-2128	83. 04-R-2186	104. 04-O-1989
2. 04-O-2044	43. 04-R-2129	84. 04-R-2187	105. 04-O-1990
3. 04-O-2045	44. 04-R-2130	85. 04-R-2188	106. 04-O-1991
4. 04-O-2046	45. 04-R-2131	86. 04-R-2189	107. 04-O-1992
5. 04-O-2098	46. 04-R-2132	87. 04-R-2199	108. 04-O-1993
6. 04-O-2099	47. 04-R-2209	88. 04-R-2200	109. 04-O-1994
7. 04-O-2100	48. 04-R-2210	**89.** 04-R-2201	110. 04-O-1995
8. 04-O-2110	49. 04-R-2211	**Items Adversed on Consent**	111. 04-O-1996
9. 04-O-2115	50. 04-R-2212		112. 04-O-1997
10. 04-O-1434	51. 04-R-2214		113. 04-O-2054
11. 04-O-1927	52. 04-R-2215	90. 04-R-2178	114. 04-O-2055
12. 04-O-1120	53. 04-R-2084	91. 04-R-2179	115. 04-O-2057
13. 04-O-1972	54. 04-R-2150	92. 04-R-2180	116. 04-O-2059
14. 04-O-2047	55. 04-R-2151	93. 04-R-2181	117. 04-O-2116
15. 04-O-0649	56. 04-R-2152	94. 04-R-2182	118. 03-R-1387
16. 04-O-1753	57. 04-R-2155	95. 04-R-2183	119. 04-R-2120
17. 04-O-1802	58. 04-R-2133	96. 04-R-2184	120. 04-R-2136
18. 04-O-1823	59. 04-R-2134	97. 04-R-2190	121. 04-R-2137
19. 04-O-2050	60. 04-R-2202	98. 04-R-2191	122. 04-R-2140
20. 04-O-2051	61. 04-R-2205	99. 04-R-2192	123. 04-R-2141
21. 04-O-2052	62. 04-R-2206	100. 04-R-2193	124. 04-R-2142
22. 04-O-2053	63. 04-R-2158	101. 04-R-2194	125. 04-R-2143
23. 04-O-2061	64. 04-R-2159	102. 04-R-2195	126. 04-R-2144
24. 04-O-2086	65. 04-R-2160	103. 04-R-2196	127. 04-R-2216
25. 04-O-2087	66. 04-R-2161		128. 04-R-2220
26. 04-O-2021	67. 04-R-2162		129. 04-R-2221
27. 04-O-2049	68. 04-R-2163		
28. 04-R-2145	69. 04-R-2164		
29. 04-R-2146	70. 04-R-2165		
30. 04-R-2147	71. 04-R-2166		
31. 04-R-2148	72. 04-R-2167		
32. 04-R-2149	73. 04-R-2168		
33. 04-R-2204	74. 04-R-2169		
34. 04-R-1970	75. 04-R-2170		
35. 04-R-2121	76. 04-R-2171		
36. 04-R-2122	77. 04-R-2172		
37. 04-R-2123	78. 04-R-2173		
38. 04-R-2124	79. 04-R-2174		
39. 04-R-2125	80. 04-R-2175		
40. 04-R-2126	81. 04-R-2176		
41. 04-R-2127	82. 04-R-2177		