Entered - 11/26/03 - sb
CL - 03L0933 LISA CARTER

04-L-0202

CLAIM OF: CAROLYN L. WEBB
876 Amber Place, NW
Atlanta, Georgia 30331

For damages alleged to have been sustained as a result of an incident on October 25, 2003 at Bakers Ferry Drive and Kenner Drive.

THIS ADVERSED REPORT IS APPROVED

BY: _____
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

FEB 16 2004

CERTIFIED
FEB 16 2004
MUNICIPAL CLERK

ADVERSE REPORT
PUBLIC SAFTEY &
ADMINISTRATION COMMITTEE
2/16/04

CITY OF ATLANTA
OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

February 25, 2004

Carolyn L. Webb
876 Amber Place, NW
Atlanta, GA 30331

04-R-0202

Dear Ms. Webb:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on February 16, 2004. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division at (404) 330-6400.**

Yours very truly,

Rhonda Dauphin Johnson

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 03L0933 Date: January 27, 2004

Claimant /Victim CAROLYN L. WEBB
BY: (Atty) (Ins. Co.) _____
Address: 876 Amber Place, NW Atlanta, Georgia 30331
Subrogation: _____ Claim for Property damage $ 933.44 Bodily Injury $ _____
Date of Notice: 11/19/03 Method: Written, proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 10/25/03 Place: Bakers Ferry Drive and Kenner Drive
Department Public Works Bureau: Traffic and Transportation Division: _____
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges that she sustained damages as a result of an incident on Bakers Ferry Drive and Kenner Drive. However, the city was not on notice of the existence of any problems with the signage prior to the claimant's accident. Furthermore, the city is immune from liability as set forth in O.C.G.A. §36-33-1.

INVESTIGATION:

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

Lisa Carter
INVESTIGATOR - LISA CARTER

RECOMMENDATION:

Pay $ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____
Claims Manager: _____ Concur/date 01/27/04
Committee Action: _____ Council Action _____

FORM 23-61

RCS# 5424
2/16/04
2:55 PM

Atlanta City Council

Regular Session

CONSENT I CONSENT I PGS 1-12, EXCEPT:04-R-0242

ADOPT

YEAS:	11
NAYS:	0
ABSTENTIONS:	1
NOT VOTING:	3
EXCUSED:	0
ABSENT	1

Reconsidered see RCS# 5425

B Smith	Y Archibong	Y Moore	NV Mitchell
Y Starnes	NV Fauver	Y Martin	Y Norwood
A Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

RCS# 5425
2/16/04
2:56 PM

Atlanta City Council

Regular Session

CONSENT I CONSENT I PGS 1-12, EXCEPT:04-R-0242

RECONSIDER

YEAS:	12
NAYS:	0
ABSTENTIONS:	0
NOT VOTING:	3
EXCUSED:	0
ABSENT	1

B Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	NV Fauver	Y Martin	Y Norwood
NV Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

RCS# 5426
2/16/04
2:58 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PGS 1-12, EXCEPT:04-R-0242
AND 04-R-0130
ADOPT

YEAS:	13
NAYS:	0
ABSTENTIONS:	0
NOT VOTING:	2
EXCUSED:	0
ABSENT	1

B Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	NV Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

	2-16-04 Council Meeting
ITEMS ADOPTED ON CONSENT	**ITEMS ADOPTED ON CONSENT**
1. 04-O-0049 2. 04-O-0125 3. 04-O-0126 4. 04-O-0143 5. 04-O-0144 6. 04-O-0035 7. 04-O-0067 8. 04-O-0233 9. 04-O-0235 10. 04-O-0251 11. 04-O-0231 12. 04-R-0188 13. 04-R-0190 14. 04-R-0228 15. 04-R-0229 16. 04-R-0222 17. 04-R-0227 18. 04-R-0128 19. 04-R-0129 20. 04-R-0130 21. 04-R-0131 22. 04-R-0189 23. 04-R-0273 24. 04-R-0218 25. 04-R-0219 26. 04-R-0220 27. 04-R-0245 28. 04-R-0246 29. 04-R-0249 30. 04-R-0250 31. 04-R-0274 32. 04-R-0226	33. 04-R-0207 34. 04-R-0208 35. 04-R-0209 36. 04-R-0210 37. 04-R-0211 38. 04-R-0212 39. 04-R-0213 40. 04-R-0214 41. 04-R-0215 42. 04-R-0223 43. 04-R-0224 **ITEMS ADVERSED ON CONSENT** 44. 04-R-0191 45. 04-R-0192 46. 04-R-0193 **47.** 04-R-0194 48. 04-R-0195 49. 04-R-0196 50. 04-R-0197 51. 04-R-0198 52. 04-R-0199 53. 04-R-0200 54. 04-R-0201 55. 04-R-0202 56. 04-R-0203 57. 04-R-0204 58. 04-R-0205 59. 04-R-0206 60. 04-R-0225