

Entered - 07/09/03 - sb
CL03L0560 - DIANNE C. MITCHELL

ADOPTED BY
FEB 16 2004
COUNCIL

CLAIM OF: LAKEWOOD AVENUE PAWN SHOP
1711 Lakewood Avenue, SE
Atlanta, Georgia 30315

04-R-0212

For damages alleged to have been sustained as a result of the destruction of confiscated firearms without prior notification.

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 **LAKEWOOD AVENUE PAWN SHOP** the sum of **\$1,275.00** 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 the destruction of confiscated firearms without prior notification as is more particularly set forth in the within claim; said sum taken from and charged to account **1A01/529017/T31001**.

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

BY: _____
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

FAVORABLE REPORT

PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

DATE: 2/10/04

CHAIR: _____

APPROVED
Shirley Franklin
FEB 24 2004
MAYOR

Handwritten notes:
FEB 16 2004

CERTIFICATE
FEB 16 2004
Rita D. Douglas
MUNICIPAL CLERK

MUNICIPAL CLERK
ATLANTA, GEORGIA

04-R-0212

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 **Lakewood Avenue Pawn Shop** in the sum of **\$1,275.00** 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 the destruction of confiscated firearms without prior notification** as set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

Rhonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

FEB 16, 2004
FEB 24, 2004

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 03L0560

Date: January 22, 2004

Claimant /Victim LAKWOOD AVENUE PAWN SHOP

BY: (Atty)(Ins. Co.) _____

Address: 1711 Lakewood Avenue, SE, Atlanta, Georgia 30315

Subrogation: _____ Claim for Property damage \$ 1,275.00 Bodily Injury \$ _____

Date of Notice: 06/27/03 Method: Written, proper X Improper _____

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

Date of Occurrence April, 2003 Place: 675 Ponce de Leon Avenue

Department Police Division: Property Management

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges that five firearms that were confiscated were later destroyed by the Police Department without notification that said property had been released.

INVESTIGATION:

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

Pictures _____ 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 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 \$ 1,275.00 Adverse _____ Account charged: 1A01 X 2J01 _____ 2H01 _____ 2P01 _____

Claims Manager: _____ Concur/date _____

Committee Action: _____ Council Action _____

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

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