



MUNICIPAL CLERK
ATLANTA, GEORGIA

04-R-0591

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 **Lashonda Cannida** in the sum of **\$808.00** 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 a water construction site that was left open and in an unsafe condition on January 5, 2004 at 3600 Martin Luther King, Jr. Drive** as set forth in the within claim; said sum taken from and charged to Account 2J01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,
Rhonda Daughin Johnson
Municipal Clerk

ADOPTED by the Council
APPROVED by the Mayor

April 19, 2004
April 27, 2004

RCS# 5585
4/19/04
3:03 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PG(S) 1-18, EXCEPT:04-R-0538
04-O-0487 04-R-0473
ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

Y 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

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DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 04L0044

Date: March 16, 2004

Claimant /Victim LASHONDA CANNIDA

BY: (Atty) (Ins. Co.)

Address: 2604 Campbelton Road, #A-4, SW, Atlanta, Georgia 30311

Subrogation: Claim for Property damage \$ 808.00 Bodily Injury \$

Date of Notice: 1/28/04 Method: Written, Proper X Improper

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

Date of Occurrence 1/5/04 Place: 3600 Martin Luther King, Jr. Drive

Department WATERSHED MANAGEMENT Bureau: Drinking Water

Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant's vehicle sustained damage when she drove over a water construction site that was left open and in an unsafe condition. An investigation determined that the City failed to properly secure the site.

INVESTIGATION:

Statements: City employee X Claimant Others Written Oral X

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 X

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,

Gwendolyn Burns
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 808.00 Adverse Account charged: 1A01 2P01 2J01 X 2H01

Claims Manager: Concur/date 03/17/04

Committee Action: Council Action

BURNS
01/28/04

COUNCIL OF THE CITY OF ATLANTA

MUNICIPAL CLERK
City Hall
55 Trinity Avenue, S.E.
Atlanta, Georgia 30334

RE: CLAIM FOR DAMAGES

Today's Date: Jan 27, 2004

ENTERED - 2-2-04 - SB
04L0044 - GWEN BURNS

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 908.00 property for \$ _____ bodily injury for which I contend the City is liable.

1. Date of incident: Jan 5, 2004 2. Time of Incident: 9:50am 3. Police called: Yes No

4. Location of incident (including street address): 3700 Martin Luther King

5. Name of your insurance company: State Farm Auto Ins. Policy No. _____

6. State what and how the incident occurred: White traveling west on MLK Drive going to work Monday Jan 5, 2004 my vehicle traveling in the far right hand lower lane ~~was~~ went over a metal plate and 2 potholes causing damage to my car (undercarriage & tire) tire flattened. Police was called.

ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of the vehicle (copy of the current tag receipt or title).

Your vehicle: Mercedes Millemia 1998 2244 APS Lashonda Cannida
(Year) (Tag Number) (Driver's Name)

City vehicle: _____
(City Driver's Name) (Department/Bureau)

Address: _____
(Address) (Telephone Number)

The acknowledgment of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by state law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

Claims must be received within 6 months of the event.

I HEREBY SWEAR AND AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Signature of Claimant: Lashonda Cannida
(Print Claimant's Name)
2604 Campbellton Rd. # A-4
(Address)
Atlanta Ga. 30311
(City, State and Zip Code)
404-691-2538 ext. 17010 404-805-D1070
(Work Number) (Home Number)

ADOPTED BY
APR 19 2004
COUNCIL

Entered - 02-02-04 - sb
CL 04L0044 - GWENDOLYN BURNS

CLAIM OF: LASHONDA CANNIDA
62604 Campbelton Road, #A-4, SW
Atlanta, Georgia 30311

04-12-0591

For vehicular damages alleged to have been sustained as a result of a water construction site that was left open and in an unsafe condition on January 5, 2004 at 3600 Martin Luther King, Jr. Drive.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE:

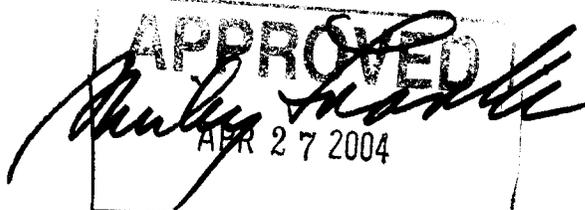
BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to LASHONDA CANNIDA the sum of \$808.00 in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained as a result of a water construction site that was left open and in an unsafe condition on January 5, 2004 at 3600 Martin Luther King, Jr. Drive as is more particularly set forth in the within claim; said sum taken from and charged to account 2J01/529017/T31001.

APPROVED: LINDA K. DISANTIS
CITY ATTORNEY

BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

FAVORABLE REPORT
PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

DATE 3/30/04
CHAIR [Signature]
[Signature]
[Signature]
[Signature]

APPROVED

APR 27 2004
MAYOR

CERTIFIED
COUNCIL PRESIDENT SYSTEM

CERTIFIED
APR 19 2004
Municipal Clerk