

Entered - 04-29-04 - sb
CL 04L0291 - GWENDOLYN BURNS

CLAIM OF: **JASON C. SIMMONS**
520 Cool Creek Trail
Mableton, Georgia 30126

04-*R*-1237

CERTIFIED
JUL 1 9 2004
COUNCIL PRESIDENT (BOPTM)

For vehicular damages alleged to have been sustained from driving over a construction site that was left open and in an unsafe condition on March 26, 2004 at West Paces Ferry Road, NE & Northside Drive, NE.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that action of the Department of Law be approved in authorizing payment to **JASON C. SIMMONS** the sum of **\$1,048.21** 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 from driving over a construction site that was left open and in an unsafe condition on March 26, 2004 at West Paces Ferry Road, NE & Northside Drive, NE as is more particularly set forth in the within claim; said sum taken from and charged to account **2J01/529017/Q30001**.

CERTIFIED
JUL 1 9 2004
MUNICIPAL CLERK

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

BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

ADOPTED BY
JUL 1 9 2004
COUNCIL

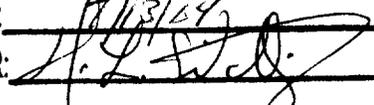
APPROVED
JUL 22 2004

MAYOR

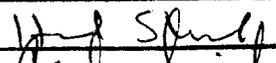
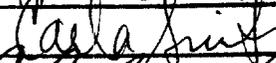
FAVORABLE REPORT

**PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

DATE: 7/13/04

CHAIR: 


C. T. K.




**MUNICIPAL CLERK
ATLANTA, GEORGIA**

04-R-1237

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 **Jason C. Simmons** in the sum of **\$1,048.21** settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained **from driving over a construction site that was left open and in an unsafe condition on March 26, 2004 at West Paces Ferry Road NE & Northside Drive, NE**, as is more particularly set forth in the within claim; said sum taken from and charged to Account 2J01/529017/Q0001, Settlement of Suits and Claims, Department of Law.

A true copy,

Shonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

**JUL 19, 2004
JUL 22, 2004**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 04L0291

Date: June 29, 2004

Claimant /Victim JASON C. SIMMONS
BY: (Atty) (Ins. Co.)
Address: 520 Cool Creek Trail, Mableton, Georgia 30126
Subrogation: Claim for Property damage \$ 1,156.66 Bodily Injury \$
Date of Notice: 4/19/04 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 3/26/04 Place: West Paces Ferry Road, NE & Northside Drive, NE
Department WATERSHED MANAGEMENT Bureau: Drinking Water
Employee involved Disciplinary Action:

NATURE OF CLAIM: Claimant sustained vehicular damage when he drove over a construction site that was left open and in an unsafe condition.

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 Ministerial X
Improper Notice More than Six Months Other Damages reasonable X
City not involved Offer rejected Compromise settlement X
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 \$ 1,048.21 Adverse Account charged: 1A01 2J01 X 2P01 2H01
Claims Manager: Concur/date 08/01/04
Committee Action: Council Action

RCS# 5906
7/19/04
2:07 PM

Atlanta City Council

Regular Session

CONSENT I CONSENT I PG(S) 1-9, EXCEPT: 04-R-1241

ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 0
EXCUSED: 0
ABSENT 1

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

CONSENT I

7-19-04 Council Meeting	
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 04-O-1154	33. 04-R-1222
2. 04-O-1156	34. 04-R-1223
3. 04-O-0765	35. 04-R-1224
4. 04-O-1249	36. 04-R-1225
5. 04-O-1263	37. 04-R-1226
6. 04-O-1034	38. 04-R-1227
7. 04-O-1265	39. 04-R-1228
8. 04-O-1266	40. 04-R-1229
9. 04-O-1264	41. 04-R-1230
10. 04-O-1151	42. 04-R-1231
11. 04-O-1262	
12. 04-O-1157	
13. 04-O-1269	
14. 04-R-1044	
15. 04-R-1049	
16. 04-R-1219	
17. 04-R-1290	
18. 04-R-1210	
19. 04-R-1289	
20. 04-R-1215	
21. 04-R-1216	
22. 04-R-1217	
23. 04-R-1218	
24. 04-R-1232	
25. 04-R-1233	
26. 04-R-1234	
27. 04-R-1235	
28. 04-R-1236	
29. 04-R-1237	
30. 04-R-1238	
31. 04-R-1239	
32. 04-R-1240	