

A RESOLUTION

04-12-0095

BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE

**A RESOLUTION AUTHORIZING PAYMENT IN THE
AMOUNT OF \$30,000.00 TO RHONDA S. DRENNON,
THROUGH HER ATTORNEY, FRED W. RIGDON, JR., IN
SETTLEMENT OF HER CLAIM AGAINST THE CITY OF
ATLANTA.**

WHEREAS, Rhonda S. Drennon, through her attorney, Fred W. Ridgon, Jr., filed a claim against the City of Atlanta seeking damages arising from personal injuries allegedly sustained when Ms. Drennon fell into an open water meter box; and

WHEREAS, on April 1, 2002 Ms. Drennon was walking down the sidewalk on Bill Lucas Street at Pollard Street en route to an Atlanta Braves game when she allegedly fell into an open water meter box causing injuries to her neck, knee and lower back; and

WHEREAS, at the time of Ms. Drennon's injury, United Water Services Atlanta ("United Water") was under contract with the City of Atlanta to operate and maintain the City's water system and, accordingly, was responsible for claims made against the City and United Water relating to personal injuries sustained as a result of United Water's failure to appropriately operate and maintain the system; and

WHEREAS, the claim of Ms. Drennon was tendered to United Water for resolution; and

WHEREAS, the claimant has asserted damages in the amount of \$60,000.00, but has agreed to accept the sum of \$30,000.00 in full and complete satisfaction and settlement of her claim against the City of Atlanta; and

WHEREAS, the City advised United Water, after it first refused to settle the claim, that the City intended to settle the claim and then make a claim against United Water and/or its letter of credit for payment of the claim amount; and

WHEREAS, after various discussions between the City and United Water, United Water agreed to pay to the City \$30,000.00 so that the City could, in turn, settle Ms. Drennon's claim against the City; and

WHEREAS, the City has, in fact, received a check from United Water in the amount of \$30,000.00 for the settlement of Ms. Drennon's claim; and

WHEREAS, the City Attorney has recommended that the claim of Rhonda S. Drennon, through her attorney, Fred W. Ridgon, Jr. be settled for the sum of \$30,000.00.

THEREFORE, BE IT RESOLVED that the Council of the City of Atlanta, Georgia that \$30,000.00 be paid by the City in satisfaction of all claims Rhonda S. Drennon, through her attorney, Fred W. Ridgon, Jr., may have stemming from damages allegedly sustained by her on April 1, 2002 at Bill Lucas and Pollard Streets.

BE IT FURTHER RESOLVED that the Chief Financial Officer is authorized to pay the above-mentioned sum from account number 2J01/529017/T31001.

A true copy,

Rhonda Daughkin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

FEB 02, 2004
FEB 10, 2004

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 02L0591

Date: January 13, 2004

Claimant /Victim RHONDA S. DRENNON
BY: (Atty) Fred W. Ridgon, Jr.
Address: P. O. Box 1701, Tifton, Georgia 31793
Subrogation: Claim for Property damage \$ Bodily Injury \$ 60,000.00
Date of Notice: 08/07/02 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 04/01/02 Place: Bill Lucas and Pollard Streets
Department Watershed Management Bureau: Water
Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges that she was injured when she fell into an open water meter. The City tendered the claim to United Water and has received payment from them in the amount of \$30,000.00 to settle the claimant's claim.

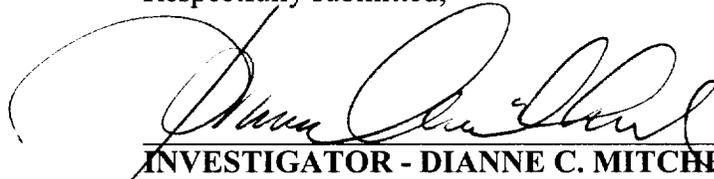
INVESTIGATION:

Statements: City employee Claimant Others Written Oral
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 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,



INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 30,000.00 Adverse Account charged: 1A01 2J01 X 2H01 2P01
Claims Manager:  Concur/date 01/15/04
Committee Action: Council Action

2-02-4 Council Meeting	
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT
1. 04-O-0033	41. 04-R-0088
2. 04-O-0037	42. 04-R-0089
3. 04-O-0151	43. 04-R-0090
4. 04-O-0159	44. 04-R-0091
5. 04-O-0153	45. 04-R-0092
6. 04-R-0176	46. 04-R-0093
7. 04-R-0133	47. 04-R-0094
8. 04-R-0178	ITEMS ADVERSED ON CONSENT
9. 04-R-2123	48. 04-R-0096
10. 04-R-0135	49. 04-R-0097
11. 04-R-0136	50. 04-R-0098
12. 04-R-0137	51. 04-R-0099
13. 04-R-0138	52. 04-R-0100
14. 04-R-0139	53. 04-R-0101
15. 04-R-0145	54. 04-R-0102
16. 04-R-0146	55. 04-R-0103
17. 04-R-0147	56. 04-R-0104
18. 04-R-0148	57. 04-R-0105
19. 04-R-0149	58. 04-R-0106
20. 04-R-0150	59. 04-R-0107
21. 04-R-0154	60. 04-R-0108
22. 04-R-0160	61. 04-R-0109
23. 04-R-0161	62. 04-R-0110
24. 04-R-0162	63. 04-R-0111
25. 04-R-0164	64. 04-R-0112
26. 04-R-0184	65. 04-R-0113
27. 04-R-0140	66. 04-R-0114
28. 04-R-0170	67. 04-R-0115
29. 04-R-0076	68. 04-R-0116
30. 04-R-0077	69. 04-R-0117
31. 04-R-0078	70. 04-R-0118
32. 04-R-0079	71. 04-R-0119
33. 04-R-0080	72. 04-R-0120
34. 04-R-0081	73. 04-R-0121
35. 04-R-0082	74. 04-R-0122
36. 04-R-0083	75. 04-R-0123
37. 04-R-0084	76. 04-R-0124
38. 04-R-0085	
39. 04-R-0086	
40. 04-R-0087	

04-R-0095
 (Do Not Write Above This Line)

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BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE

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RHONDA S. DRENNON, THROUGH HER
ATTORNEY, FRED W. RIGDON, JR., IN
SETTLEMENT OF HER CLAIM AGAINST
THE CITY OF ATLANTA.

APPROVED BY:

JERRY L. DELOACH
DEPUTY CITY ATTORNEY

ADOPTED BY
FEB 02 2004
COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred _____

Referred To: _____

Date Referred _____

Referred To: _____

Date Referred _____

Referred To: _____

Committee _____
 Date _____
 Chair _____
 Referred to _____

Committee PSA
 Date 1-27-04
 Chair [Signature]
 Action: _____
 Fav, Adv, Hold (see rev. side) _____
 Other: _____
 Members [Signatures]
 Refer To _____

Committee _____
 Date _____
 Chair _____
 Action: _____
 Fav, Adv, Hold (see rev. side) _____
 Other: _____
 Members _____
 Refer To _____

Committee _____
 Date _____
 Chair _____
 Referred to _____

Committee _____
 Date _____
 Chair _____
 Action: _____
 Fav, Adv, Hold (see rev. side) _____
 Other: _____
 Members _____
 Refer To _____

Committee _____
 Date _____
 Chair _____
 Action: _____
 Fav, Adv, Hold (see rev. side) _____
 Other: _____
 Members _____
 Refer To _____

FINAL COUNCIL ACTION
 2nd Reading
 1st & 2nd Reading
 3rd Reading
 Consent
 V Vote
 RC Vote

CERTIFIED

FEB 02 2004

CERTIFIED

FEB 02 2004

Rhonda Drennon Johnson
 MUNICIPAL CLERK

APPROVED
 - FEB 10 2004
Stanley Frankel
 MAYOR