

Entered - 9-26-02 - sb
CL 02L0690 - GWENDOLYN BURNS

CLAIM OF: **GEICO DIRECT
AS SUBROGEE OF INSURED,
RONNIE JOHNSON**
4295 Ocmulgee East Boulevard
Macon, Georgia 31295

04-R-0210

**ADOPTED BY
FEB 16 2004
COUNCIL**

For vehicular damages alleged to have been sustained due to an construction site that was left open and in an unsafe condition on August 16, 2002 at 2910 Tejas Trail, SW.

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 **GEICO DIRECT AS SUBROGEE OF INSURED, RONNIE JOHNSON** the sum of **912.92** full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained due to an construction site that was left open and in an unsafe condition on August 16, 2002 at 2910 Tejas Trail, SW 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

CERTIFIED
FEB 16 2004

BY: _____
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

Ronda Daphin Johnson
MUNICIPAL CLERK

FAVORABLE REPORT

PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

DATE: 2/16/04

CHAIR: _____

Mary Norwood

Hunt Smith

Wiley Frank
FEB 24 2004
MAYOR

**MUNICIPAL CLERK
ATLANTA, GEORGIA**

04-R-0210

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 **GEICO Direct as subrogee of insured Ronnie Johnson** in the sum of **\$912.92** settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained **due to an construction site that was left open and in an unsafe condition on August 16, 2002 at 2910 Tejas Trail, SW** 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 Daughkin 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. 02L0690

Date: January 26, 2004

Claimant /Victim RONNIE JOHNSON
BY: (Atty) (Ins. Co.) GEICO DIRECT
Address: 4295 Ocmulgee East Boulevard, Macon, Georgia 31295-0001
Subrogation: X Claim for Property damage \$ 912.92 Bodily Injury \$
Date of Notice: 9/16/02 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 8/16/02 Place: 2910 Tejas Trail, SW
Department WATERSHED MANAGEMENT Division Sewer Operations
Employee involved Disciplinary Action:

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

INVESTIGATION:

Statements: City employee Claimant Others X 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 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 \$ 912.92 Adverse Account charged: 1A01 2J01 X 2P01 2H01
Claims Manager: Concur/date 01/27/04
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 | |