

Entered 12/09/04- sb
CL 04L0856 - LISA CARTER

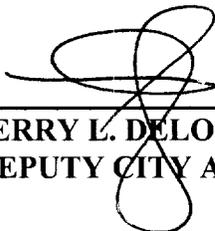
05-R -1272

CLAIM OF: TONY A. BOUIE
2170 Wingate Street
Atlanta, Georgia 30310

For damages alleged to have been sustained as a result of a slip and fall incident in an uncovered water meter on October 30, 2004 at 2710 Wingate Street.

THIS ADVERSED REPORT IS
APPROVED

BY:



JERRY L. DELOACH
DEPUTY CITY ATTORNEY

ADVERSE REPORT

PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

DATE: 7/12/05

CHAIR: Alta Headon

Mary Newood

Calla Smith

Wend Smith

C. T. Martin

Joseph Sheppard

JUL 10 2005

REPORTED BY:
Mary Newood

ADVERSE REPORT



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

July 20, 2005

Tony A. Bouie
2170 Wingate Street
Atlanta, GA 30310

05-R-1272

Dear Mr. Bouie:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on July 18, 2005. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division at (404) 330-6400.**

Sincerely,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 04L0856

Date: June 28, 2005

Claimant /Victim TONY A. BOUIE
BY:(Atty.)(Ins. Co.) _____
Address: 2170 Wingate Street Atlanta, Georgia 30310
Subrogation: _____ Claim for Property damage \$ _____ Bodily Injury \$ Unspecified
Date of Notice: 11/23/04 Method: Written, proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 _____ X Ante Litem (6 Mo.) _____ X
Date of Occurrence 10/30/04 Place: 2170 Wingate Street
Department Watershed Management Bureau: Drinking Water Division: _____
Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges that he sustained personal injuries as a result of a slip and fall incident in an uncovered water meter at 2170 Wingate Street. An investigation determined that the city was not on notice of the existence of a problem at this location prior to the incident involving the claimant.

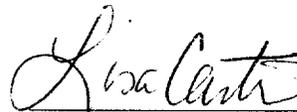
INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____
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 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 - LISA CARTER

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____ 2P01 _____
Claims Manager: [Signature] Concur/date 06/29/05
Committee Action: _____ Council Action _____

RCS# 6850
7/18/05
4:53 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PG(S) 6-19

ADOPT

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

CONSENT I

7/05/05

ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 05-O-0663 2. 05-O-0666 3. 05-R-0900 4. 05-O-0901 5. 05-O-0902 6. 05-O-1294 7. 04-O-1363 8. 05-O-1129 9. 05-O-1131 10. 05-O-1132 11. 05-O-1133 12. 05-O-1134 13. 05-O-1135 14. 04-O-1973 15. 05-O-1126 16. 05-O-1128 17. 05-O-1296 18. 05-O-1300 19. 05-R-1140 20. 05-R-1320 21. 05-R-1215 22. 05-R-1229 23. 05-R-1254 24. 05-R-1217 25. 05-R-1218 26. 05-R-1219 27. 05-R-1251 28. 05-R-1223 29. 05-R-1224 30. 05-R-1225	31. 05-R-1226 32. 05-R-1227 33. 05-R-1228 34. 05-R-1302 35. 05-R-1303 36. 05-R-1304 37. 05-R-1318 38. 05-R-1220 39. 05-R-1250 40. 05-R-1252 41. 05-R-1295 42. 05-R-1255 43. 05-R-1256 44. 05-R-1257 45. 05-R-1258 46. 05-R-1259 47. 05-R-1260 48. 05-R-1261 49. 05-R-1262 50. 05-R-1263 51. 05-R-1264	52. 05-R-1265 53. 05-R-1266 54. 05-R-1267 55. 05-R-1268 56. 05-R-1269 57. 05-R-1270 58. 05-R-1271 59. 05-R-1272 60. 05-R-1273 61. 05-R-1274 62. 05-R-1275 63. 05-R-1276 64. 05-R-1277 65. 05-R-1278 66. 05-R-1279 67. 05-R-1280 68. 05-R-1281 69. 05-R-1283 70. 05-R-1284 71. 05-R-1285