

Entered - 02/11/05 - sb  
CL05L0102 - DIANNE C. MITCHELL

05-R-0419

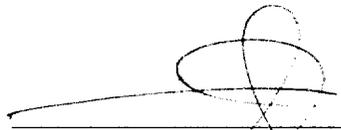
CLAIM OF: **KEVIN JONES,**  
through his attorney,  
**Robert C. Port**  
990 Hammond Drive  
Suite 990  
Atlanta, Georgia 30328

For damages alleged to have been sustained as a result of the City's failure to pay the proper salary during the time claimant worked as Acting Public Defender from December 17, 2001 through June 24, 2003.

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 **KEVIN JONES, through his attorney, Robert C. Port** the sum of **\$10,000.00** in full 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 the City's failure to pay the proper salary during the time claimant worked as Acting Public Defender from December 17, 2001 through June 24, 2003 as is more particularly set forth in the within claim; said sum taken from and charged to account **1A01/529017/T31001.**

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

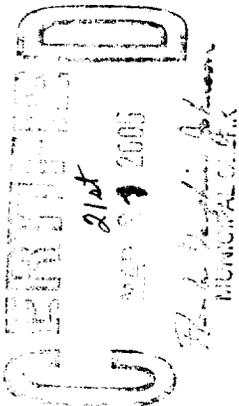
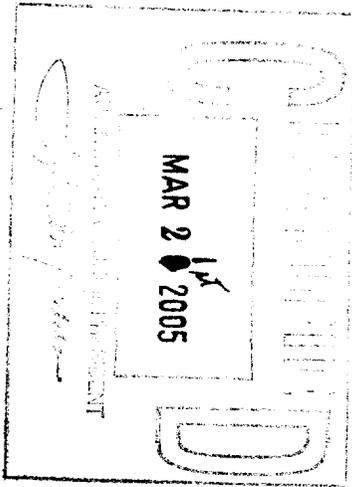
BY:   
**JERRY L. DELOACH**  
DEPUTY CITY ATTORNEY

**FAVORABLE REPORT**

**PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE**

DATE: 3/15/05  
CHAIR: 

**ADOPTED BY**  
MAR 2 1 2005  
**COUNCIL**





**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

**05-R-0419**

**A RESOLUTION**

**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 **Kevin Jones , through his attorney, Robert C. Port** to in the sum of **\$10,000.00** in full 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 the City's failure to pay the proper salary during the time claimant worked as Acting Public Defender from December 17, 2001 through June 24, 2003** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

*Phonda Dauphin Johnson*  
Municipal Clerk

**ADOPTED by the City Council  
APPROVED by the Mayor**

**March 21, 2005  
March 25, 2005**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 05L0102

Date: March 3, 2005

Claimant /Victim KEVIN JONES  
BY: (Atty) Robert C. Port  
Address: 990 Hammond Drive, Suite 990, Atlanta, Georgia 30328  
Subrogation: Claim for Property damage \$ 60,565.50 Bodily Injury \$ \_\_\_\_\_  
Date of Notice: 01/25/05 Method: Written, proper X Improper \_\_\_\_\_  
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence 12/17/02 - 06/24/03 Place: Traffic Court  
Department Traffic Court Division: \_\_\_\_\_  
Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

NATURE OF CLAIM: The claimant alleges that he is entitled to recover back wages during the time that he was in the position of Acting Public Defender. Pursuant to City Code Section 114-134 he was entitled to be paid at a salary at Grade 41 Step 2.

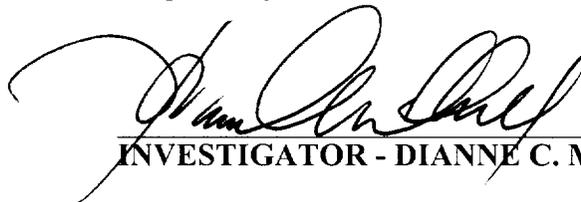
INVESTIGATION:

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 \_\_\_\_\_

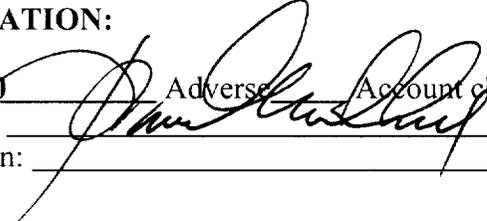
BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial \_\_\_\_\_  
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable \_\_\_\_\_  
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,

  
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 10,000.00 Adverse \_\_\_\_\_ Account charged: 1A01 X 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_ 2P01 \_\_\_\_\_  
Claims Manager:  Concur/date 03/03/05  
Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

RCS# 6559  
3/21/05  
2:26 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PG 4-16 EXCEPT  
05-R-0499 04-O-2111  
ADOPT

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 2

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

CONSENT I