

05 - R - 0791

Entered - 04/04/05 - sb  
CL - 05L0284 - LISA CARTER

CLAIM OF: USAA CASUALTY INSURANCE COMPANY,  
as subrogee of Martha J. Forrester  
P.O. Box 33490  
San Antonio, Texas 78265

For damages alleged to have been sustained during the installation of  
island markers on January 22, 2005 on Highland Avenue.

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  
USAA CASUALTY INSURANCE COMPANY, as subrogee of  
Martha J. Forrester the sum of \$984.04 in full settlement and  
satisfaction of all claims, past, present and future, of every kind and  
character for damages alleged to have been sustained during the  
installation of island markers on January 22, 2005 on Highland Avenue  
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: 5/10/05  
CHAIR: Carla Stinson  
Carla Stinson  
Mary Wood  
A. J. Mark  
Joyce Stinson  
Pat Stinson

ADOPTED BY  
MAY 16 2005  
COUNCIL

*Pat Stinson*  
MAY 18 2005  
CITY OF ATLANTA

MAY 16 2005

*Carla Stinson*



**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

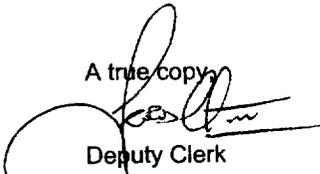
**05-R-0791**

**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 **USAA Casualty Insurance Company, as subrogee of Martha J. Forrester** in the sum of **\$984.04** settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained **during the installation of island markers on January 22, 2005 on Highland Avenue** 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



Deputy Clerk

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

May 16, 2005  
May 23, 2005

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 05L0284

Date: April 26, 2005

Claimant /Victim USAA CASUALTY INSURANCE COMPANY as subrogee of Martha J. Forrester
BY: (Atty) (Ins. Co.)
Address: P. O. Box 33490 San Antonio, Texas 78265
Subrogation: X Claim for Property damage \$ 984.04 Bodily Injury \$
Date of Notice: 03/31/05 Method: Written, proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 01/22/05 Place: Highland Avenue
Department Public Works Bureau: Transportation Division:
Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges that she sustained damages during the installation of island markers on Highland Avenue. An investigation determined that the Office of Transportation had been working at this location, but failed to properly secure its construction site.

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 X Ministerial
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,

[Handwritten signature of Lisa Carter]

INVESTIGATOR - LISA CARTER

RECOMMENDATION:

Pay \$ 984.04 Adverse Account charged: 1A01 X 2J01 2P01
Claims Manager: [Signature] Concur/date 04/27/05
Committee Action: Council Action

RCS# 6676  
5/16/05  
2:05 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PG(S) 3-15

ADOPT

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

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

CONSENT I

05-16-05 Council Meeting		
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 05-O-0655	31. 05-R-0839	50. 04-R-1789
2. 05-O-0656	32. 05-R-0677	51. 05-R-0793
3. 05-O-0657	33. 05-R-0832	52. 05-R-0795
4. 05-O-0658	34. 05-R-0833	53. 05-R-0799
5. 05-O-0659	35. 05-R-0836	54. 05-R-0800
6. 05-O-0762	36. 05-R-0837	55. 05-R-0801
7. 05-O-0778	37. 05-R-0878	56. 05-R-0802
8. 05-O-0781	38. 05-R-0818	57. 05-R-0805
9. 05-O-0871	39. 05-R-0820	58. 05-R-0806
10. 05-O-0874	40. 05-R-0826	59. 05-R-0807
11. 05-O-0669	41. 05-R-0835	60. 05-R-0810
12. 05-O-0684	42. 05-R-0785	61. 05-R-0812
13. 05-O-0685	43. 05-R-0786	62. 05-R-0814
14. 05-O-0850	44. 05-R-0787	
15. 05-O-0702	45. 05-R-0788	
16. 05-O-0703	46. 05-R-0789	
17. 05-O-0704	47. 05-R-0790	
18. 05-O-0845	48. 05-R-0791	
19. 05-R-0822	49. 05-R-0792	
20. 05-R-0823		
21. 05-R-0824		
22. 05-R-0827		
23. 05-R-0828		
24. 05-R-0834		
25. 05-R-0881		
26. 05-R-0821		
27. 05-R-0872		
28. 05-R-0830		
29. 05-R-0875		
30. 05-R-0838		