

CLAIM OF: **JANET C. SHORTT**
3400 Spreading Oak Drive, SW
Atlanta, Georgia 30311

For property damages alleged to have been sustained when a driveway was broken during back-yard garbage pickup service from 2007 - May 27, 2009 at 3400 Spreading Oak Drive, 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 **JANET C. SHORTT** the sum of **\$1,225.00** as full and final settlement and satisfaction of all claims, past, present and future, of every kind and character for property damages alleged to have been sustained when a driveway was broken during back-yard garbage pickup service from 2007 - May 27, 2009 at 3400 Spreading Oak Drive, SW as is more particularly set forth in the within claim; said sum taken from and charged to account **1001/200101/5212005/1512000**.

JAN 19 2010

CERTIFIED
JAN 23 2010
Rachel Douglas Johnson
MUNICIPAL CLERK

APPROVED: **ROGER BHANDARI**
ACTING CITY ATTORNEY

APPROVED
[Signature]
MAYOR

BY: *[Signature]*
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

ADOPTED BY
JAN 19 2010
COUNCIL

FAVORABLE REPORT

PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

DATE: 1/12/10

CHAIR: *[Signature]*

[Signature]
[Signature]
[Signature]



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

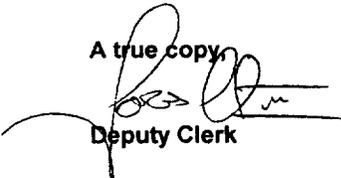
10-R-0076

A RESOLUTION

**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 **Janice C, Shortt** the sum of **\$1,225.00** as full and final settlement and satisfaction of all claims, past, present and future, of every kind and character, for property damages alleged to have been from a driveway broken during back-yard garbage pickup service from 2007-May 27,2009 at 3400 Spreading Oak Drive, S.W. as is more particularly set forth in the within claim; said sum taken from and charged to Account 1001/200101/5212005/1512000.

A true copy,



Deputy Clerk

ADOPTED by the Atlanta City Council
APPROVED by Mayor Kasim Reed

JAN 19, 2010
JAN 25, 2010

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 09L0401

Date: December 21, 2009

Claimant /Victim JANET C. SHORTT
BY: (Atty) (Ins. Co.)
Address: 3400 Spreading Oak Drive, SW, Atlanta, Georgia 30311
Subrogation: Claim for Property damage \$ 2,450.00 Bodily Injury \$
Date of Notice: 6/1/09 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 2007- 5/27/09 Place: 3400 Spreading Oak Drive, SW
Department PUBLIC WORKS Bureau: Office: Solid Waste Services
Employee involved Mary Glenn Disciplinary Action:

NATURE OF CLAIM: Claimant sustained damages when her driveway was broken by the drivers of City trucks that were performing a back-yard garbage pickup service. An investigation has determined that City trucks maybe responsible for the claimant's driveway damage. However, other contributing factors were noted to have caused the problem as well, namely; tree roots and the age of the driveway. The claimant has agreed to accept a compromised settlement.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral
Pictures X Diagrams Reports: Police Dept Report X Other X
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 X
Repair/replacement by Ins. Co. Repair/replacement by City Forces
Claimant Negligent City Negligent X Joint Claim Abandoned

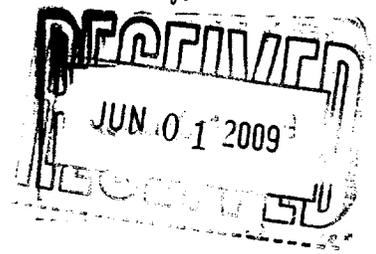
Respectfully submitted,

[Signature]
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 1,225.00 Adverse Account charged: General Fund X Water & Sewer Aviation
Claims Manager: [Signature] Concur/date
Committee Action: Council Action

3400 Spreading Oak Dr. SW
Atlanta, GA 30311
404-699-0994
May 27, 2009



Law Offices
City of Atlanta
55 Trinity Avenue, SW
Atlanta, GA 30302

ENTERED - 6-8-09 - SB
09L0401 - G. BURNS

BURNS
06/02/09

I would like to submit a claim to the law offices of the City of Atlanta for repairs needed to my driveway. Several months ago, I requested, through Mr. C. T. Martin's office, that the huge trucks being driven up the driveway into my back cease because the weight of the trucks was tearing up the driveway. My request was granted for awhile, but the trucks began coming up the driveway again. My driveway needs repairing badly, and looks worse than any on the street when paving was done. These houses were built around the same time in this neighborhood.

I have had backyard pickup because of my age (78) for some time now. I have a disabled son and a granddaughter who live with me. Today, I was told that my service would be discontinued because of my granddaughter's residency in my home, which I was not told about when the service started. I do want it understood that I am not requesting this repair because of the cancellation of the backyard pickup, but is a matter I have intended to take care of but was put off by my three operations that took place in 2006 and 2007, with another to be on June 11, 2009, and several hospitalizations in 2008 and 2009.

It would be very much appreciated if this matter is investigated and a favorable outcome in my behalf takes place.

Sincerely,

Janet C. Shortt

10- R -0076

RCS# 17
1/19/10
1:54 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

10-R-0145

ADOPT EXCEPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Bond
Y Hall	Y Wan	Y Martin	Y Watson
Y Young	Y Shook	Y Bottoms	Y Willis
B Winslow	Y Adrean	Y Sheperd	NV Mitchell

CONSENT I