

Entered - 09/11/09 - sb  
CL 09L0690 - LISA CARTER

10-R-0244

CLAIM OF: **GLENN DAVENPORT**  
8637 Ellard Drive  
Alpharetta, Georgia 30022

For damages alleged to have been sustained as a result of flooding on September 28, 2009 at 1621 Woodbine Avenue, NE.

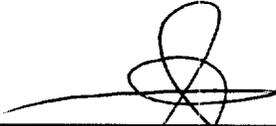
**BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE:**

**BE IT RESOLVED** by the Council of the City of Atlanta that action of the Department of Law be approved in authorizing payment to **GLENN DAVENPORT** 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 flooding on September 28, 2009 at 1621 Woodbine Avenue, NE as is more particularly set forth in the within claim; said sum taken from and charged to account **1001.200101.5212005.1512000**.

ADOPTED BY  
FEB 15 2010  
COUNCIL

FEB 15 2010

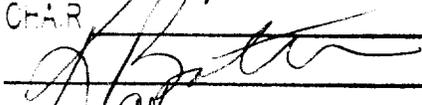
APPROVED: **ROGER BHANDARI**  
ACTING CITY ATTORNEY

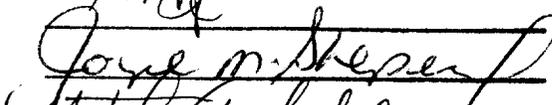
BY:   
**JERRY L. DELOACH**  
DEPUTY CITY ATTORNEY

**FAVORABLE REPORT**

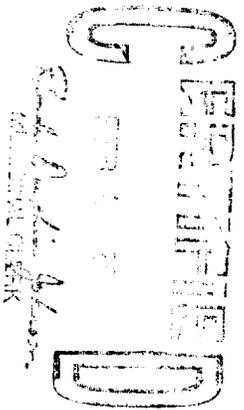
PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE

DATE 2/9/10

CHAR 





**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

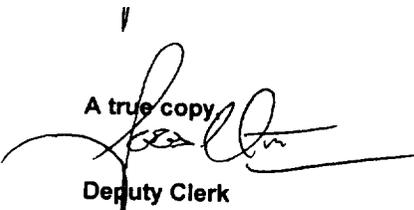
**10-R-0244**

**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 **Glenn Davenport** the sum of **\$10,000.00** 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 as a result of **flooding on September 28, 2009 at 1621 Woodbine Avenue, NE** 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**

**FEB 15, 2010  
FEB 22, 2010**

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 09L0690

Date: January 26, 2010

Claimant /Victim GLENN DAVENPORT

BY:(Atty)(Ins.Co.) \_\_\_\_\_

Address: 8637 Ellard Drive Alpharetta, Georgia 30022

Subrogation: \_\_\_\_\_ Claim for Property damage \$ 10,667.77 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 09/10/09 Method: Written, proper  Improper \_\_\_\_\_

Conforms to Notice: O.C.G.A. §36-33-5  Ante Litem (6 Mo.)

Date of Occurrence 09/28/09 Place: 1621 Woodbine Avenue, NE

Department Watershed Management Bureau: Wastewater Treatment & Collections Office: \_\_\_\_\_

Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

NATURE OF CLAIM: The claimant alleges that he sustained damages as a result of flooding at 1621 Woodbine Avenue, NE . An investigation determined that the city was on notice of a problem at this location prior to the incident involving the claimant, but failed to make repairs in a timely manner.

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  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  Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

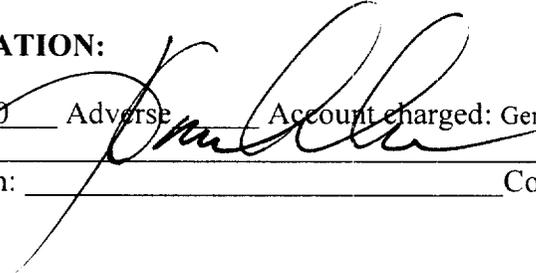
Respectfully submitted,



INVESTIGATOR - LISA CARTER

RECOMMENDATION:

Pay \$ \$10,000.00 Adverse  Account charged: General Fund  Water & Sewer \_\_\_\_\_ Aviation \_\_\_\_\_

Claims Manager:  Concur/date 01/27/10

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

COUNCIL OF THE CITY OF ATLANTA  
MUNICIPAL CLERK  
City Hall  
55 Trinity Avenue, S.W.  
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: 8/29/09 CARTER

ENTERED - 9-11-09 - SB  
09L0690 - L. CARTER

09/10/09

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 10,000,- property and for \$ \_\_\_\_\_ bodily injury for which I contend the City is liable.

1. Date of incident: 9/28/09 2. Time of Incident: 8 AM 3. Police called: Yes  No

4. Location of incident (including street address): 1621 Woodbine Ave, NE Atlanta 30317

5. Name of your insurance company: N/A Policy No. \_\_\_\_\_

6. State what and how incident occurred: plugged outdoor drain & water all over the property. Water pushed significant part of the foundation. It also flooded the basement. Hot water heater damaged

7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: N/A  
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: \_\_\_\_\_  
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: SUSAN HASKAVIA 2505 Village Ln CA 678-613-2491  
(Name) (Address) (Telephone Number)

10. The acknowledgement of this claim in no way waives the sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and / or its employees(s).

11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT

Signature of Claimant

Glenn Davenport  
(Print Claimant's Name)

8637 ELLIARD DR  
(Address)

ALPHARETTA, GA 30022  
(City, State and Zip Code)

404.217.2350 770.645.0520  
(Work Number) (Home Number)

Zurana Stralka  
678-613-2491

10-R-0244

RCS# 70  
2/15/10  
2:39 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

ADOPT

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 4  
EXCUSED: 0  
ABSENT 0

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

CONSENT I

		02-15-10
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 10-O-0163	36. 10-R-0160	53. 10-R-0260
2. 10-O-0167	37. 10-R-0244	54. 10-R-0261
3. 10-O-0229	38. 10-R-0245	55. 10-R-0262
4. 10-O-0317	39. 10-R-0246	56. 10-R-0263
5. 10-O-0153	40. 10-R-0247	57. 10-R-0264
6. 10-O-0154	41. 10-R-0248	58. 10-R-0265
7. 10-O-0155	42. 10-R-0249	59. 10-R-0266
8. 10-O-0156	43. 10-R-0250	60. 10-R-0267
9. 10-O-0158	44. 10-R-0251	61. 10-R-0268
10. 10-O-0159	45. 10-R-0252	62. 10-R-0269
11. 10-O-0157	46. 10-R-0253	63. 10-R-0270
12. 10-R-0242	47. 10-R-0254	64. 10-R-0271
13. 10-R-0243	48. 10-R-0255	65. 10-R-0272
14. 10-R-0124	49. 10-R-0256	66. 10-R-0273
15. 10-R-0282	50. 10-R-0257	67. 10-R-0274
16. 10-R-0283	51. 10-R-0258	
17. 10-R-0284	52. 10-R-0259	
19. 10-R-0285		
20. 10-R-0286		
21. 10-R-0287		
22. 10-R-0295		
23. 10-R-0299		
24. 10-R-0300		
25. 10-R-0301		
26. 10-R-0302		
27. 10-R-0233		
28. 10-R-0234		
29. 10-R-0235		
30. 10-R-0236		
31. 10-R-0237		
32. 10-R-0238		
33. 10-R-0239		
34. 10-R-0240		
35. 10-R-0316		