

Entered - 10/12/09 - sb  
CL - 09L0776 - ANGELENA KELLY

CLAIM OF: Willie Harris  
511 Cohen Street  
Atlanta, GA 30310

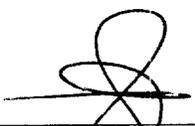
For damages alleged to have been sustained as a result of a vehicular accident on August 5, 2009 at McDaniel Street and Ralph David Abernathy Boulevard.

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 **Willie Harris** the sum of **\$2,336.00** 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 a vehicular accident on August 5, 2009 at McDaniel Street and Ralph David Abernathy Boulevard as is more particularly set forth in the within claim; said sum taken from and charged to account **1001.200101.5212005.1512000**.

APPROVED: **ROGER BHANDARI**  
ACTING CITY ATTORNEY

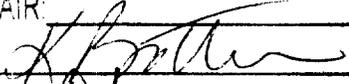


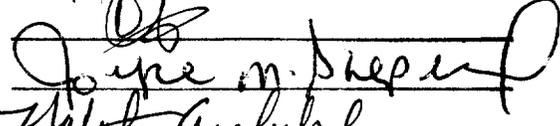
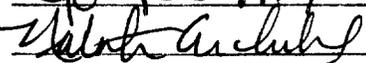
BY:   
**JERRY L. DELOACH**  
DEPUTY CITY ATTORNEY

**FAVORABLE REPORT**

PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE

DATE: 2/9/10

CHAIR: 

ADOPTED BY  
FEB 15 2010  
COUNCIL

FEB 15 2010





**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

**10-R-0247**

**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 **Willie Harris** the sum of **\$2,336.00** 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 a **vehicular accident on August 5, 2009 at McDaniel Street and Ralph David Abernathy Boulevard** 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

A handwritten signature in black ink, appearing to read "Lisa O'Connell", written over the text "A true copy" and "Deputy Clerk".

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. 09L0776

Date: January 4, 2010

Claimant /Victim: Willie Harris

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

Address: 511 Cohen Street, Atlanta, GA 30310

Subrogation: \_\_\_\_\_ Claim for Property damage \$ 2,336.00 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 9/16/09 Method: Written, proper X Improper \_\_\_\_\_

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

Date of Occurrence: 8/5/09 Place: McDaniel Street at Ralph David Abernathy Boulevard

Department: Public Works Bureau: \_\_\_\_\_ Office: Solid Waste Services

Employee involved: Joseph Benton Disciplinary Action: Pending

NATURE OF CLAIM: The driver of a city vehicle struck the claimant's vehicle, causing damages in the above amount. The investigation determined the driver of the City vehicle was the at fault party due to an improper lane change.

INVESTIGATION:

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_

Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police X Dept Report \_\_\_\_\_ Other \_\_\_\_\_

Traffic citations issued: City Driver X Claimant Driver \_\_\_\_\_

Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

BASIS OF RECOMMENDATION:

Function: Governmental \_\_\_\_\_ Ministerial X

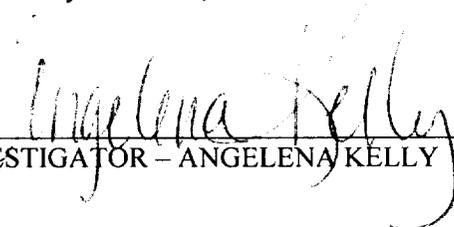
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable X

City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

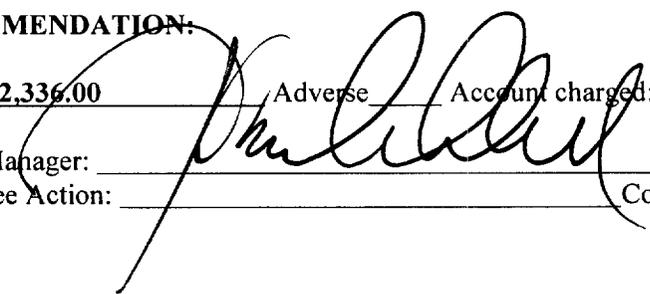
Claimant Negligent \_\_\_\_\_ City Negligent X Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - ANGELENA KELLY

RECOMMENDATION:

Pay \$ 2,336.00 Adverse \_\_\_\_\_ Account charged: General Fund X Water & Sewer \_\_\_\_\_ Aviation \_\_\_\_\_

Claims Manager:  Concur/date 1/25/10

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

RECEIVED  
OFFICE OF  
MUNICIPAL CLERK

PAR

COUNCIL OF THE CITY OF ATLANTA  
MUNICIPAL CLERK  
City Hall  
15 Trinity Avenue, SW  
Atlanta, Georgia 30303

2009 SEP 16 PM 2:51 Today's Date: 9/15/09

RE: CLAIM FOR DAMAGES

ENTERED - 10-12-09 - SB  
09L0776 - A. KELLY

Kelly  
10/08/09  
AK

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount of \$ 2,336. property and/or \$ \_\_\_\_\_ bodily injury for which I contend the City is liable.

1. Date of incident: 8/06/09 2. Time of incident: 10:00 AM 3. Police called: yes

4. Location of incident (including street address): \_\_\_\_\_

5. Name of your insurance company: Travelers Policy No. PT5010A

6. State what and how incident occurred: Hit by A City owned  
Dump truck while sitting AT red  
Light.

CC: 09L0665  
BI

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 ORIGINAL 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.

Your vehicle: 1996 Nissan Willie Harris's  
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: FNTL JOSEPH BENTON  
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: Gregory MARTEN, TALYN Harris

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 employee(s).

11. Claims must be received within 6 months from the date of the event.

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

Willie Harris  
Signature of Claimant

Willie Harris  
(Print Claimant's Name)

511 Cohen St. SW  
(Address)

ATLANTA, GA. 30310  
(City, State and Zip Code)

(770) 936-5442 (404) 217-9611  
(Work Number) (Home Number)

10-R-0247

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		