

10- R -0255

CLAIM OF: **DAVID HARPER**
204 Island Creek Lane
Savannah, Georgia 31410

For vehicular damages alleged to have been sustained from an automobile accident on October 31, 2009 at 710 Peachtree Street, 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 **DAVID HARPER** he sum of **\$703.66** as full and final settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained from an automobile accident on October 31, 2009 at 710 Peachtree Street, NE 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**

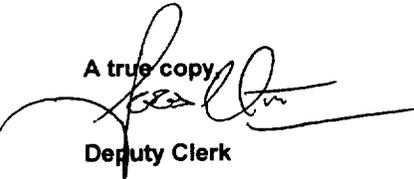
10-R-0255

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 **David Harper** the sum of **\$703.66** 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 **an automobile accident on October 31, 2009 at 710 Peachtree Street 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. 09L0941

Date: January 6, 2010

Claimant /Victim DAVID HARPER

BY: (Atty) (Ins. Co.)

Address: 204 Island Creek Lane, Savannah, Georgia 31410

Subrogation: X Claim for Property damage \$ 703.66 Bodily Injury \$

Date of Notice: 11/19/09 Method: Written, Proper X Improper

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

Date of Occurrence 10/31/09 Place: 710 Peachtree Street, NE

Department PUBLIC WORKS Bureau: Office: Solid Waste Services

Employee involved Ira Osby Disciplinary Action: Defensive Driving Class

NATURE OF CLAIM: Claimant sustained damages when his automobile was side-swiped by the driver of a City vehicle that was traveling southbound at the above-referenced location.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral

Pictures X Diagrams Reports: Police X 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

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

Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,

G. Burns
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 703.66 Adverse Account charged: General Fund X Water & Sewer Aviation

Claims Manager: Concur/date 1/25/10

Committee Action: Council Action

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

RECEIVED
OFFICE OF
MUNICIPAL CLERK

2009 NOV 19

CLAIM FOR DAMAGES

Today's Date: 11-15-09

ENTERED - 12-2-09 - SB
09L0941 - G. BURNS

BURNS

11/25/09

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount of \$ 620.23 property and/or \$ _____ bodily injury for which I contend the City is liable.

1. Date of incident: 10-31-09 2. Time of incident: 12:20 a.m. 3. Police called: Yes

4. Location of incident (including street address): 710 Peachtree St. NE

5. Name of your insurance company: Allstate Policy No. 910922065 08/01

6. State what and how incident occurred: While I was stopped at a red light, a city street sweeper sideswiped the right side of my car.

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.

Your vehicle: 1997 Mercedes 9852 ASP, David Harper

City vehicle: Tag: GV2002 Vehicle: 29401 M36101

9. Witness: Logan Harper, Jenna Bunzall

10. The acknowledgment 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

[Signature]
Signature of Claimant

David Harper
(Print Claimant's Name)

204 Island Creek Lane
(Address)

Savannah, GA 31410
(City, State and Zip Code)

912-998-2255 912-998-4044
(Work Number) (Home Number)

Police Case #

093040079

10- R -0255

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		