

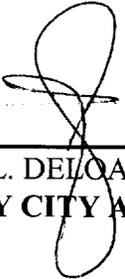
Entered - 12-2-09 sb
CL 09L0204 GWENDOLYN BURNS

10- R -0266

CLAIM OF: **AMY BOCCHINO**
834 Briarcliff Road, Apt 1
Atlanta, Georgia 30306

For damages alleged to have been sustained when a vehicle
was towed on October 24, 2009 at Briarcliff Place.

THIS ADVERSED REPORT IS APPROVED

BY: 

JERRY L. DELOACH
DEPUTY CITY ATTORNEY

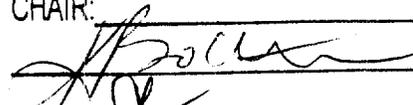
ADVERSE REPORT

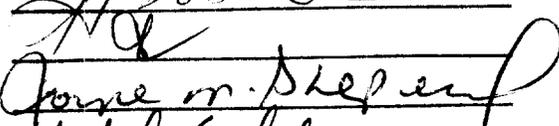
PUBLIC SAFETY &

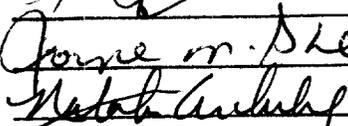
LEGAL ADMINISTRATION COMMITTEE

DATE: 2/9/10

CHAIR: _____

 _____

 _____

 _____

FEB 15 2010

FEB 15 2010

FEB 15 2010



CITY OF ATLANTA
OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SUITE 2700
ATLANTA, GEORGIA 30303
Main (404) 330-8033
Fax (404) 658-6103
Email municipalclerk@atlantaga.gov

February 25, 2010

Ms. Amy Bocchino
834 Briarcliff Road Apt. 1
Atlanta georgia 30306

10-R-0266

Dear **Ms. Bocchino**

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on February 15, 2010. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division at (404) 330-6400.**

Sincerely,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

SDEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 09L0942

Date: January 12, 2010

Claimant /Victim AMY BOCCHINO
BY: (Atty) (Ins. Co)
Address: 834 Briarcliff Road, Apt. 1, Atlanta, Georgia 30306
Subrogation: Claim for Property damage \$ 105.00 Bodily Injury \$
Date of Notice: 11/23/09 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 10/24/09 Place: Briarcliff Place
Department POLICE Bureau: Office:
Employee(s) involved Disciplinary Action: None

NATURE OF CLAIM: Claimant alleges that she sustained damages when her vehicle was erroneously towed by a Police Officer who determined that her vehicle was illegally parked. However, a municipal corporation shall not be liable for the torts of policemen or other officers engaged in the discharge of the duties imposed on them by law, pursuant to §36-33-3.

Statements: City employee Claimant Others Written Oral
Pictures Diagrams Reports: Police Dept Report Other X
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 X 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,

[Handwritten signature]

INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ Adverse X Account charged: General Fund 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

RE: CLAIM FOR DAMAGES

Today's Date: 11/1/09

ENTERED - 12-2-09 - SB
09L0942 - G. BURNS

BURNS
11/25/09
2009 NOV 23 10:06
RECEIVED
OFFICE OF
MUNICIPAL CLERK

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount of \$ 105.00 property and/or \$ _____ bodily injury for which I contend the City is liable.

1. Date of incident: 10/24/09 2. Time of incident: unknown 3. Police called: n/a
4. Location of incident (including street address): Briarcliff Pl Atlanta Ga 30306
5. Name of your insurance company: Progressive Policy No. 71376438-3

6. State what and how incident occurred: An officer called my car in to be towed from outside my apt. building because they thought I required a residential parking pass to park where I was. Sat. Pave from Zone to meet my landlord at apt. building and concluded that was incorrect, no residential pass needed, therefore my car should not have been towed.
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: Volvo 2005 BAU1376 Amy Bocchino
(Make) (Year) (Tag Number) (Driver's Name)
City vehicle: _____
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: _____
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.

Amy Bocchino
Signature of Claimant

Amy Bocchino
(Print Claimant's Name)
834 Briarcliff Rd Apt 1
(Address)
Atlanta, Ga 30306
(City, State and Zip Code)

404-250-1800 404-295-6223
(Work Number) (Home Number)

10-R-0266

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		