

10-R-0435

Entered - 11/24/09 - sb
CL - 09L0919 - ANGELENA KELLY

ADOPTED BY
MAR 15 2010
COUNCIL

CLAIM OF: AT & T
909 Chestnut Street
Room 39-N-13
St. Louis, MO 63101

For damages alleged to have been sustained as a result of a severed phone line during the repair of a water main on September 10, 2009 at 8640 Ridge Road, Fairburn, GA.

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 AT & T the sum of \$1,603.65 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 severed phone line during the repair of a water main on September 10, 2009 at 8640 Ridge Road, Fairburn, GA as is more particularly set forth in the within claim; said sum taken from and charged to account 5051.170201.5750002.4310000.

APPROVED: ROGER BHANDARI
ACTING CITY ATTORNEY

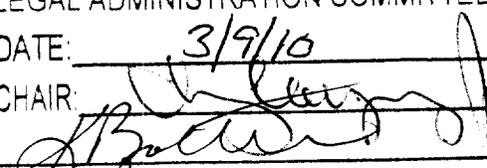
BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

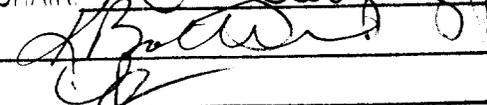


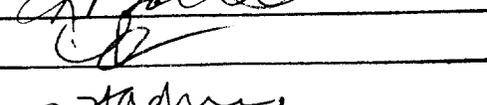
FAVORABLE REPORT

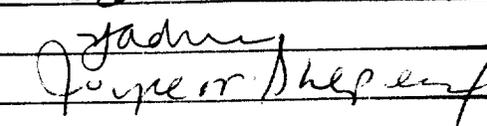
PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

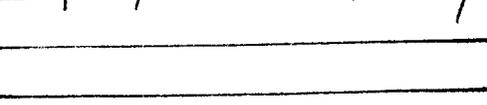
DATE: 3/9/10

CHAIR: 



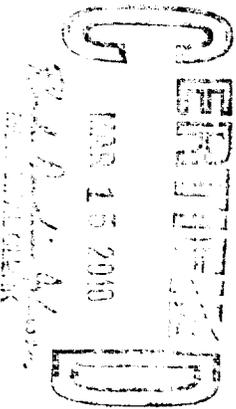


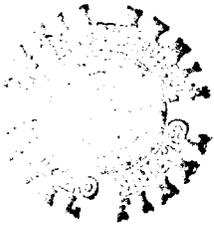






MAR 15 2010





**MUNICIPAL CLERK
ATLANTA, GEORGIA**

10-R-0435

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 **AT&T** the sum of **\$1,603.65** 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 severed phone line during the repair of water main on September 10, 2009 at 8640 Ridge Road, Fairburn Georgia** as is more particularly set forth in the within claim; said sum taken from and charged to Account **5051/170201/5750002/4310000**.

A true copy,

Rhonda Daughkin Johnson
Municipal Clerk

ADOPTED by the Atlanta City Council
APPROVED by Mayor kasim Reed

MAR 15, 2010
MAR 23, 2010

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 09L0919

Date: January 27, 2010

Claimant /Victim: AT&T

BY:(Atty)(Ins. Co.) _____

Address: 809 Chestnut Street, Room 39-N-13, St. Louis, MO 63101

Subrogation: _____ Claim for Property damage \$ 1,603.65 Bodily Injury \$ _____

Date of Notice: 11/16/09 Method: Written, proper X Improper _____

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

Date of Occurrence: 9/10/09 Place: 8640 Ridge Road, Fairburn, GA

Department: Watershed Management Bureau: _____ Office: Drinking Water

Employee involved: _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges that their phone line was severed during the repair of a water main. The investigation determined that the Department of Watershed Management was working at this location and severed the phone line.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____

Pictures _____ Diagrams _____ Reports: Police _____ Dept Report X Other _____

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental _____ Ministerial X

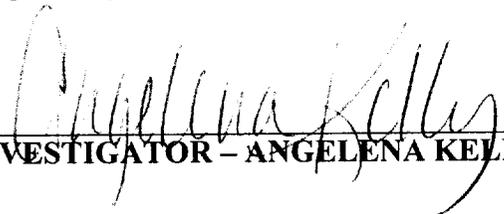
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable X

City not involved _____ Offer rejected _____ Compromise settlement _____

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

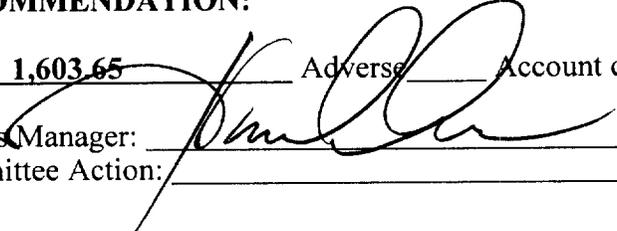
Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,


INVESTIGATOR - ANGELENA KELLY

RECOMMENDATION:

Pay \$ 1,603.65 Adverse _____ Account charged: General Fund _____ Water & Sewer X Aviation _____

Claims Manager:  Concur/date 02/23/10

Committee Action: _____ Council Action _____

PM



Claim for Damages

ENTERED - 11-24-09 -SB
09L0919 - A. KELLY

Kelly
11/18/09

To:
ATLANTA CITY OF LAW DEPARTMENT
68 MITCHELL STREET
SUITE 4100
ATLANTA, GA 30303

Summary of Charges

The following amounts include direct and indirect costs covering repair of this damage including but not limited to personnel, equipment and vehicles. These include the labor, contractor, material, loss of service and other miscellaneous costs

Claim Number: BLST-61-200909-07-0036-OTT

LABOR COST	\$719.31
MATERIALS/UNIT COST ITEMS	\$100.10
CONTRACTOR	\$418.24
LOSS OF SERVICE	\$366.00
TOTAL AMOUNT DUE:	\$1,603.65

Charges for Damages to:
BELLSOUTH TELECOM.,INC DBA AT&T- GEORGIA

Occured/Discovered On or About: 09/10/2009

Approximate Location:
8640 RIDGE RD, FAIRBURN, GA

How Damage Occured:
PIT WAS DUG TO REPAIR WATER MAIN

Breakdown of Charges on next page

**Call before you dig
Call 811**

10- R -0435

For inquiries Call: 800-894-0374 or 800-363-3234 (FAX)

This payment is due upon receipt. If payment is not received within 30 days further collection action will be taken. IF A PAYMENT FOR LESS THAN THE FULL AMOUNT IS RECEIVED, IT WILL BE APPLIED AS A PARTIAL PAYMENT. **Please do not pay with telephone bill.**

If you are covered by insurance, please forward this to your carrier for payment. Once your claim has been established with your insurance company, please contact us at 800-894-0374 with your claim information, and we will work with your insurance company to resolve. AT&T accepts checks, money orders or credit card payments. We do not accept cash. Please complete the information below and return in the enclosed envelope or you may call 800-894-0374 to pay by phone.



TOTAL AMOUNT DUE: \$1,603.65

Amount enclosed: \$ _____

ATLANTA CITY OF LAW DEPARTMENT

Claim Number: BLST-61-200909-07-0036-OTT

Return this section with payment in enclosed envelope.

Please write claim number on check or money order to ensure proper credit.

or credit card payment:

edit Card number: _____
me on Card: _____
ount to be charged to your card: _____
digit security number on back of card: _____
tion Date: _____

Remit Payment to:

AT&T
909 Chestnut Street
Room 39-N-13
St. Louis, MO 63101-3099



RCS# 124
3/15/10
2:18 PM

Atlanta City Council

REGULAR SESSION

CONSENT I

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 2

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

CONSENT I