

Entered 03/25/11 sb
CL 11L0212 DWM/11 - LISA CARTER

CLAIM OF: RHONDA LEVITT
3000 Continental Colony
Parkway, SW
Apartment F-150
Atlanta, Georgia 30331

For damages alleged to have been sustained as a result of flooding on March 20, 2011 at 3000 Continental Colony Parkway, SW Apartment F-150.

THIS ADVERSED REPORT IS APPROVED

BY: J.L. DeLoach
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

ADVERSE REPORT

PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

DATE: 4/26/11

CHAIR: [Signature]

[Signature]
Gene M. Hester

you

[Signature]

Abstain: [Signature]



OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6030
FAX (404) 658-6273

May 9, 2011

Rhonda Levitt
3000 Cintinental Colony
Apartment F-150
Atlanta, Georgia 30331

11-R-0612

Dear Ms. Levitt

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 May 2, 2011.

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

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 11L0212

Date: March 29, 2011

Claimant /Victim RHONDA LEVITT

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

Address: 3000 Continental Colony Parkway, SW Apartment F-150 Atlanta, Georgia 30331

Subrogation: _____ Claim for Property damage \$ 1,000.00 Bodily Injury \$ _____

Date of Notice: 03/24/11 Method: Written, proper Improper _____

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

Date of Occurrence 03/20/11 Place: 3000 Continental Colony Parkway

Department Watershed Management Bureau: Operations Office: _____

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: The claimant alleges that she sustained damages as a result of flooding at 3000 Continental Colony Parkway Apartment F-150. However, an investigation determined that this is a private matter.

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 \$ _____ Adverse Account charged: General Fund _____ Water & Sewer _____ Aviation _____

Claims Manager: [Signature] Concur/date 04/04/11

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: 3-20-2011

ENTERED - 3-25-11 - SB
11L0213 - L. CARTER

CARTER
03/24/11

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount of \$ 1,500.00 property and/or \$ 212 bodily injury for which I contend the City is liable.

1. Date of incident: 3-20-2011 2. Time of incident: 10:00 3. Police called: NO
4. Location of incident (including street address): 3000 CONTIE COLONY PKWY
5. Name of your insurance company: NO Policy No. NO
6. State what and how incident occurred: MY APARTMENT FLOOD OUT I LOSS SHOE AND SOCK RUGS TOWL PAPER - TOILET PAPER AND SHOE - POINT CLEAN PEOPLE
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: _____
(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.

Rhonda Levitt
Signature of Claimant

Rhonda Levitt
(Print Claimant's Name)

3000 CONTIE COLONY PKWY
(Address)

Atlanta GA 30331
(City, State and Zip Code)

678-938-0014
(Work Number) (Home Number)

RCS# 990
5/02/11
2:46 PM

Atlanta City Council

REGULAR SESSION

11-R-0612

CLAIM OF RHONDA LEVITT FOR DAMAGES SUS-
TAINED AS A RESULT OF FLOODING
ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 1
NOT VOTING: 1
EXCUSED: 0
ABSENT 0

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

11-R-0612

ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	05-02-11 ITEMS ADVERSED ON CONSENT
1. 11-O-0132 2. 11-O-0494 3. 11-O-0528 4. 11-O-0683 5. 11-O-0268 6. 11-O-0513 7. 11-O-0514 8. 11-O-0515 9. 11-O-0679 10. 11-R-0443 11. 11-R-0618 12. 11-R-0619 13. 11-R-0620 14. 11-R-0621 15. 11-R-0622 16. 11-R-0627 17. 11-R-0628 18. 11-R-0629 19. 11-R-0686 20. 11-R-0613 21. 11-R-0614 22. 11-R-0687 23. 11-R-0689 24. 11-R-0630 25. 11-R-0631 26. 11-R-0632 27. 11-R-0633 28. 11-R-0634 29. 11-R-0635 30. 11-R-0636 31. 11-R-0646 32. 11-R-0649 33. 11-R-0650 34. 11-R-0652 35. 11-R-0554 36. 11-R-0555 37. 11-R-0556	38. 11-R-0557 39. 11-R-0558 40. 11-R-0559 41. 11-R-0560 42. 11-R-0561 43. 11-R-0562 44. 11-R-0563 45. 11-R-0564 46. 11-R-0565 47. 11-R-0566 48. 11-R-0567 49. 11-R-0568 50. 11-R-0569 51. 11-R-0570 52. 11-R-0571 53. 11-R-0572 54. 11-R-0573 55. 11-R-0574 56. 11-R-0575 57. 11-R-0576 58. 11-R-0577 59. 11-R-0578 60. 11-R-0579 61. 11-R-0580 62. 11-R-0581 63. 11-R-0669	64. 11-R-0582 65. 11-R-0583 66. 11-R-0584 67. 11-R-0585 68. 11-R-0586 69. 11-R-0587 70. 11-R-0588 71. 11-R-0589 72. 11-R-0590 73. 11-R-0591 74. 11-R-0592 75. 11-R-0593 76. 11-R-0594 77. 11-R-0595 78. 11-R-0596 79. 11-R-0597 80. 11-R-0598 81. 11-R-0599 82. 11-R-0600 83. 11-R-0601 84. 11-R-0602 85. 11-R-0603 86. 11-R-0604 87. 11-R-0605 88. 11-R-0606 89. 11-R-0607 90. 11-R-0608 91. 11-R-0609 92. 11-R-0610 93. 11-R-0611