(51)

00- R -0173

Entered - 12-29-99 - sb
CL 99L0895- DOBBS JORDAN

CLAIM OF: **QUAVATIS D. JONES**
216 Rhodesia Avenue, S.E.
Atlanta, Georgia 30315

For damages alleged to have been sustained as a result of a vehicular incident on September 20, 1999 at Pine Street and Courtland Street.

THIS ADVERSED REPORT IS

ADVERSED BY CITY COUNCIL FEB 2 1 2000

APPROVED:

Rosalind Rubens Newell
ROSALIND A. RUBENS NEWELL
DEPUTY CITY ATTORNEY

ADVERSE REPORT
COM: Public Safety
DATE: 2/15/2000
CHR: Cleta Mendoza
Sherry Dorsey
Michael Bond
[illegible]
Cathy Woolley
Donny Shelton

CERTIFIED
FEB 2 1 2000
Debi M. Starnes
COUNCIL PRESIDENT PROTEM

CERTIFIED
FEB 2 1 2000
Rhonda Dauphin Johnson
MUNICIPAL CLERK

OFFICE OF MUNICIPAL CLERK

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

February 28, 2000

Quavatis D. Jones
216 Rhodesia Ave., SE
Atlanta, GA 30315

00-R-0173

Dear Ms. Jones:

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 21, 2000. 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

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 99L0895 Date: February 2, 2000

Claimant /Victim QUAVATIS D. JONES
BY: (Atty) (Ins. Co.) _____
Address: 216 Rhodesia Avenue, S.E., Atlanta, Georgia
Subrogation: _____ Claim for Property damage $ 75.00 Bodily Injury $ _____
Date of Notice: 12-29-99 Method: Written, proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 9-20-99 Place: Pine Street at Courtland
Department Police Bureau _____ Division _____
Employee involved _____ Dept. Action _____

NATURE OF CLAIM: Claimant alleges that he sustained property damage in the above amount when his motor vehicle was towed by the police for being parked in a restricted location . The City of Atlanta Police Services is a governmental function and is protected by sovereign immunity for all operations as set forth in O.C.G.A. 36-33-1.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written X Oral X
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 X 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 - DOBBS JORDAN

RECOMMENDATION:

Pay $ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____
Claims Manager: _____ Concur/date 02-14-00
Committee Action: _____ Council Action _____

FORM 23-61

RECEIVED DEC 2 9 1999

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: Jordan 12/29/99

ENTERED – 12-29-99 – SB
99L00895 – DOBBS JORDAN

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of $ 75.00 property and/or $ 0 bodily injury for which I contend the City is liable.

1. Date of incident: 9-20-99 (month/day/year)

2. Police called: ✓ Yes ___ No

3. Location of incident: _____

4. Name of your insurance company: _____ Policy No. _____

5. State what and how incident occurred: My car was towed when it was not parked in restricted zone and I went to court and the judge said not guilty so I want my $75 for towing

6. **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!**

7. 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 (copy of the current tag receipt or title).

Your vehicle: Dodge Intrid (make) 99 (year) 647 AFD (tag number) Quavatis Jones (driver's name)

City vehicle: _____ (make) _____ (City driver's name) _____ (department/bureau)

8. Witness: _____ (name) _____ (address) _____ (telephone number)

9. 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).

10. **This claim should be mailed immediately to the address shown above.**

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

Quavatis D Jones
(claimant's name)

216 Rhodesia Ave S.E.
(address)

Atlanta GA 30315
(city and state)

(4) 753-9815 (work number) (4) 627-2078 (home number)

00-R-0173

DEBI STARNES PRESIDED

RCS# 1771
2/21/00
2:37 PM

Atlanta City Council

Regular Session

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CONSENT AGENDA PAGES (1 - 9)

ADOPT

YEAS:	15
NAYS:	0
ABSTENTIONS:	0
NOT VOTING:	1
EXCUSED:	0
ABSENT	0

SEE ATTACHED LISTING OF ITEMS ADOPTED/ADVERSED ON CONSENT AGENDA

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEMS REMOVED FROM CONSENT AGENDA
00-O-0122
00-O-0123
00-R-0202
00-R-0020

00-O-0212 – Councilmember Boazman Abstained

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02/21/00 Council Meeting

ITEMS ADOPTED ON CONSENT AGENDA

1. 99-O-2072
2. 99-O-2073
3. 00-O-0127
4. 00-O-0124
5. 00-O-0126
6. 00-O-0066
7. 00-O-0125
8. 00-O-0211
9. 00-O-0212 *
10. 00-O-0213
11. 00-O-0207
12. 00-R-0220
13. 00-R-0196
14. 00-R-0209
15. 00-R-0180
16. 00-R-0176
17. 00-R-0174
18. 00-R-0145
19. 00-R-0146
20. 00-R-0147
21. 00-R-0148
22. 00-R-0149
23. 00-R-0150
24. 00-R-0151
25. 00-R-0152
26. 00-R-0153
27. 00-R-0154
28. 00-R-0155
29. 00-R-0156
30. 00-R-0157
31. 00-R-0158
32. 00-R-0159
33. 00-R-0160

ITEMS ADVERSED ON CONSENT AGENDA

34. 00-R-0161
35. 00-R-0162
36. 00-R-0163
37. 00-R-0164
38. 00-R-0165
39. 00-R-0166
40. 00-R-0167
41. 00-R-0168
42. 00-R-0169
43. 00-R-0170
44. 00-R-0171
45. 00-R-0172
46. 00-R-0173
47. 00-R-0175

* Councilmember Boazman abstained from voting on item 00-O-0212.