Entered - 08-17-01 - sb
CL 01L0521 - GWENDOLYN BURNS

CLAIM OF: **STATE FARM INSURANCE**
as subrogee of Nicole Messina
P.O. Box 227257
Dallas, Texas 75222-7257

01-R -1547

ADOPTED BY
OCT 01 2001
COUNCIL

For vehicular damages alleged to have been sustained as a result of an automobile accident on July 15, 2001 at Piedmont Avenue & John Wesley Dobbs Avenue.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE:

CERTIFIED
OCT 01 2001
COUNCIL PRESIDENT PROTEM

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 **STATE FARM INSURANCE as subrogee of Nicole Messina** the sum of **$2,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained as a result of an automobile accident on July 15, 2001 at Piedmont Avenue & John Wesley Dobbs Avenue. as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

BY: _____
ROBERT N. GODFREY
DEPUTY CITY ATTORNEY

CERTIFIED
2001

FAVORABLE REPORT
PUBLIC SAFTEY &
LEGAL ADMINISTRATION COMMITTEE
DATE: SEP 25 2001
CHAIR: _____

APPROVED
OCT 10 2001
WITHOUT SIGNATURE
BY OPERATION OF LAW

MUNICIPAL CLERK
ATLANTA, GEORGIA

01-R-1547

A RESOLUTION

BY PUBLIC SAFETY &
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 **State Farm Insurance as subrogee of Nicole Messina** in the sum of **$2,000.00** 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 **an automobile accident on July 15, 2001 at Piedmont Avenue & John Wesley Dobbs Avenue** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,
Rhonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED by the Council — OCT 01, 2001
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403 — OCT 10, 2001

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0521 Date: September 14, 2001

Claimant /Victim **NICOLE MESSINA**
BY: (Atty) (Ins. Co.) Allstate Insurance Company
Address: P. O. Box 227257, Dallas, Texas 75222-7257
Subrogation: _____ Claim for Property damage $ 4,610.24 Bodily Injury $ _____
Date of Notice: 8/15/01 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 6/15/01 Place: Piedmont Avenue & John Wesley Dobbs, Avenue
Department PUBLIC WORKS Division Solid Waste Services
Employee involved Larry Holiday Disciplinary Action: Drug Test - pending further review

NATURE OF CLAIM: Claimant's vehicle sustained damage when it was backed into by a City vehicle. The City employee was cited for "improper backing".

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 X Ministerial _____
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,

Gwendolyn Burns
INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:
Pay $ **2,000.00** Adverse Account charged: 1A01 X 2J01 _____ 2H01 ___
Claims Manager: _____ Concur/date 09-14-01
Committee Action: _____ Council Action _____

FORM 23-61

COUNCIL PRESIDENT PROTEM MICHAEL BOND PRESIDEI

RCS# 3142
10/01/01
1:54 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1 thru 14

ADOPT

SEE ATTACHED LISTING OF ITEMS ADOPTED/ADVERSED ON CONSENT AGENDA

YEAS:	12
NAYS:	0
ABSTENTIONS:	0
NOT VOTING:	2
EXCUSED:	0
ABSENT	2

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

ITEM (S) REMOVED FROM <u>CONSENT AGENDA</u>
01-O-1018

CONSENT

ITEMS ADOPTED ON CONSENT AGENDA

1. 01-O-1570
2. 01-O-1571
3. 01-O-1354
4. 01-O-1488
5. 01-O-1335
6. 01-O-1336
7. 01-O-1337
8. 01-O-1342
9. 01-O-1343
10. 01-O-1344
11. 01-O-1345
12. 01-O-1346
13. 01-O-1119
14. 01-O-1351
15. 01-O-1572
16. 01-R-1588
17. 01-R-1273
18. 01-R-1276
19. 01-R-1428
20. 01-R-1456
21. 01-R-1471
22. 01-R-1499
23. 01-R-1580
24. 01-R-1581
25. 01-R-0921
26. 01-R-1561
27. 01-R-1584
28. 01-R-1521
29. 01-R-1522
30. 01-R-1523
31. 01-R-1524
32. 01-R-1525
33. 01-R-1526
34. 01-R-1527
35. 01-R-1528
36. 01-R-1545
37. 01-R-1546
38. 01-R-1547

ITEMS ADVERSED ON CONSENT AGENDA

39. 01-R-1529
40. 01-R-1530
41. 01-R-1531
42. 01-R-1532
43. 01-R-1533
44. 01-R-1534
45. 01-R-1535
46. 01-R-1536
47. 01-R-1537
48. 01-R-1538
49. 01-R-1539
50. 01-R-1540
51. 01-R-1541
52. 01-R-1542
53. 01-R-1543
54. 01-R-1544
55. 01-R-1548
56. 01-R-1549
57. 01-R-1550
58. 01-R-1551
59. 01-R-1552
60. 01-R-1553
61. 01-R-1554
62. 01-R-1555
63. 01-R-1556
64. 01-R-1557
65. 01-R-1558
66. 01-R-1559
67. 01-R-1560