

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 13L0478

Date: September 9, 2014

Claimants /Victim Atlanta Legal Aid Society, Inc.
BY: (Atty) (Ins. Co.)
Address: 151 Spring Street, Atlanta, Georgia 30303
Subrogation: Claim for Property damage \$ 79,007.44 Bodily Injury \$
Date of Notice: 8/6/13 Method: Written, Proper X Improper
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence: 2/4/13-3/2/13 Place: 151 Spring Street
Department: Watershed Bureau: Drinking Water Office:
Employee involved: Disciplinary Action:

NATURE OF CLAIM Claimant alleges property damage sustained from several sewer back-ups and water main breaks. The investigation determined the city damaged the claimant's water line.

INVESTIGATION:

Statements: City employee Claimant X Others Written X Oral X
Pictures X 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,

[Signature: J. Edmonds]
INVESTIGATOR - JANINE J. EDMONDS

RECOMMENDATION:

Pay \$79,007.44 Adverse Account charged: General Fund Water & Sewer X Aviation
Claims Manager/Director: [Signature] Concur/date 9/23/14
Deputy City Attorney: [Signature] Concur/date 9/28/14
Committee Action: Council Action

RECEIVED

AUG - 6 2013

RECD

Kelid Aug. 2, 2013

3:24pm

CC: 11L0032

12L0203

COUNCIL OF THE CITY OF ATLANTA RE: CLAIM FOR DAMAGES
MUNICIPAL CLERK

Today's Date: 7/31/2013

ENTERED - 8-12-13 - SB
13L0478 - A. KELLY

55 Trinity Avenue, SW
Atlanta, Georgia 30303

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount of \$ 47,405.59 property

and/or \$ _____ bodily injury for which I contend the City is liable.

1. Date of incident: 7/24/2013 ^{3/24} 2. Time of incident: 10:00 a.m. 3. Time Police called: n/a

4. Location of incident (including street address): 151 Spring Street, N.W. 30303

5. Name of your insurance company: Cirrusnet Insurance Policy No. EBP 005 10 32

6. State what and how incident occurred: The lateral sewer line was crushed and needed replacement. Please see attached invoices for multiple sewer/water intrusions.

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.

Dawn Anderson - Atlanta Legal Aid Society
Print Claimant's Name Operations Mgr

Dawn Anderson
Signature of Claimant

151 Spring Street, N.W.
Claimant's Address

Atlanta GA 30303
City, State and Zip Code

404-614-3943 / 770-883-1992
Work/Home Number

New
8/6/13
CAC
cc 11L0032
12L0203
ACK

Kelly
8/7/13
AKB

RECEIVED
OFFICE OF
MUNICIPAL CLERK

P.M.

ATLANTA LEGAL AID SOCIETY, INC.

151 SPRING STREET NW
ATLANTA, GEORGIA 30303-2097
(404) 614-3943
dmanderson@atlantalegalaid.org

2013 AUG -2 PM 3:24

July 31, 2013

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
55 Trinity Avenue, SW
Atlanta, GA. 30303

Dear Municipal Clerk:

Enclosed you will find our Claim and supporting documents for damages incurred due to the collapse of the lateral Sewer line which services our building. Atlanta Legal Aid was closed to the public from February 4th – February 21st and again from February 26th – March 2nd for a total of 25 business days. We are asking to be reimbursed for the cost of cleaning the contaminated/flooded area.

The lateral line in question is located on Williams Street. The initial incident occurred on February 4, 2013. I was notified by staff that raw sewer water was coming up through the toilet and drains in our basement office and storage area. I notified the City and a crew was dispatched to review the situation. It was determined that the City of Atlanta would need to fix the lateral which was located on Williams street. After numerous attempts and several sewage spills later, the lateral was fixed on February 21, 2013.

When the City crew left on the 21st, they covered the work with steel plates and said they would return to infill the area and fix the sidewalk. There was heavy rain that weekend and ultimately the lateral was damaged and collapsed again on Tuesday, February 26th. I was notified by staff that raw sewage water was backing up into the basement offices. I immediately called Full Circle Restoration to come and begin the cleaning and decontamination of the basement office/storage area. I notified the City and a crew was sent out to take a look at the issue. When they arrived they stated that they thought it was a blockage that was causing the backup and used a high pressure water hose to clear the blockage. However, because there was no blockage just a crushed pipe, the water pressure method ultimately caused the basement to be contaminated with gallons of raw sewage. The City notified me that they would have a crew out to fix the lateral sewer line. I once again notified Full Circle Restoration to come to the office and clean the contaminated area.

The City crew arrived on Thursday the 28th and continued the work on Friday March 1st. During the day on Friday while trying to fix the lateral sewer line, the crew ruptured a water service line which caused the basement to flood. Full Circle Restoration was on site working on the pervious sewage spill when the basement began to flood. They continued to clean and repair the basement area through March 10th. The City was able to repair the water line and the lateral sewer line on Saturday March 2nd. The sidewalk repair was completed on July 29, 2013.

The total claim amount we are requesting is \$47,405.59

Should you have questions or need further information, please contact me at 404-614-3943 or dmanderson@atlantalegalaid.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Dawn M Anderson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Dawn M Anderson
Mgr. Operations/Facilities

CC: Angelena Kelly – Claims Investigator via email