



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: SC-1920-8

File ID: SC-1920-8

Type: Special Claim

Status: Consent Item

Version: 1

Reference: Item 20

In Control: City Council

Department: Legal Department

Cost: \$2,407.27

File Created: 12/04/2019

File Name: Special Claim from Paul Zuck

Final Action:

Title: SPECIAL CLAIM SC-1920-8: SUBMITTED BY PAUL ZUCK IN THE AMOUNT OF \$2,407.27 FOR DAMAGE HIS VEHICLE RECEIVED WHEN IT WAS STRUCK BY TIRE DEBRIS FROM A CITY VEHICLE TRAVELING FROM INTERSTATE 35.

Notes: ACTION NEEDED: Motion to approve or reject Special Claim SC-1920-8; and, if approved, direct payment in the amount of \$2,407,27 contingent upon obtaining a Release and Covenant Not to Sue from Paul Zuck.

ACTION TAKEN: _____

Agenda Date: 12/10/2019

Agenda Number: 20

Attachments: City Clerk memo, Notice of Tort Claim, Damage Estimate

Project Manager: Jeanne Snider, Assistant City Attorney

Entered by: sarah.encinias@normanok.gov

Effective Date:

History of Legislative File

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File SC-1920-8

Body

BACKGROUND: A claim was filed by Paul Zuck in the amount of \$2,407.27 for damage his vehicle received when it was struck by tire debris on August 13, 2019, while traveling behind a City truck on an Interstate 35 exit.

DISCUSSION: This incident was investigated by Tony Mensah, Street Superintendent, who found on August 13, 2019, a City Street Maintenance tanker truck was traveling on Interstate 35 on the way to obtain street tack oil. As the City truck began to exit onto Interstate 40, an inside

passenger-side tire blew out and released tire debris onto the highway. Mr. Zuck was traveling behind the City truck at the time and his vehicle was subsequently struck by the tire debris.

Mr. Zuck submitted three (3) estimates to repair the front end of his 2004 Chevrolet Silverado, with the lowest estimate being \$2,407.27. Since Mr. Zuck's vehicle is valued at approximately \$2,740, payment of the repair cost is appropriate.

As indicated above, there appears to be possible negligence on the part of the City in this matter and consequently potential liability on the City. The claim of Mr. Zuck, in the amount of \$2,407.27, appears reasonable.

RECOMMENDATION: Based upon the above and foregoing, it is the recommendation of the City Attorney's office that the claim of Paul Zuck, in the amount of \$2,407.27 as set forth above, be approved.