



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: SC-1920-16

File ID: SC-1920-16 **Type:** Special Claim **Status:** Consent Item

Version: 1 **Reference:** Item 18 **In Control:** City Council

Department: Legal Department **Cost:** \$10,027.97 **File Created:** 06/05/2020

File Name: Special Claim from Samantha Lovelady & Thomas Davis **Final Action:**

Title: SPECIAL CLAIM SC-1920-16: SUBMITTED BY SAMANTHA LOVELADY FOR MEDICAL EXPENSES OF \$2,607 AND THOMAS DAVIS FOR PROPERTY DAMAGE OF \$7,421 FOR VEHICLE DAMAGE THAT OCCURRED AS A RESULT OF A COLLISION WITH A CITY FIRE DEPARTMENT TRUCK AT THE INTERSECTION OF CLASSEN BOULEVARD AND ALAMEDA STREET.

Notes: ACTION NEEDED: Motion to approve or reject Special Claim SC-1920-16; and, if approved, direct payment in the amount of \$2,607 contingent upon obtaining a Release and Covenant Not to Sue from Samantha Lovelady and payment in the amount of \$7,421 contingent upon obtaining a Release and Covenant Not to Sue from Thomas Davis.

ACTION TAKEN: _____

Agenda Date: 06/23/2020

Agenda Number: 18

Attachments: City Clerk memo, Notice of Tort Claim, Estimate, Collision Report - Redacted

Project Manager: Jeanne Snider, Assistant City Attorney

Entered by: sarah.encinias@normanok.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
------------	--------------	-------	---------	----------	-----------	--------------	---------

Text of Legislative File SC-1920-16

Body

BACKGROUND: A claim was filed by Samantha Lovelady for medical expenses and Thomas Davis for property damage, in the total amount of \$10,028, due to an incident that occurred when Ms. Lovelady was driving Mr. Davis' car and was struck by a City Fire Department fire

engine on January 2, 2020, on Classen Boulevard.

DISCUSSION: This incident was investigated by Travis King, Fire Chief, who found that on January 2, 2020, a City Fire Department fire engine was headed southbound in the inside lane on Classen Boulevard and stopped for a red traffic light at the Alameda Street intersection. The light turned green and the fire engine drove forward but then drifted into the outside lane, striking the driver's side of the car driven by Ms. Lovelady, who was beside the fire engine and headed in the same direction.

Mr. Davis submitted three (3) estimates to repair the driver's side of his 2012 Toyota Camry, with the lowest estimate being \$7,421. This car is valued at an average worth of \$7,532, making repair costs feasible. Ms. Lovelady submitted hospital emergency room expenses for treatment after the incident in the total amount of \$2,607. These expenses together equal \$10,028 for the total claim amount.

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. Mr. Davis' claim for property expenses in the amount of \$7,421 and Ms. Lovelady's claim for medical expenses in the amount of \$2,607, appears reasonable.

RECOMMENDATION: Based upon the above and foregoing, it is the recommendation of the City Attorney's office that the medical claim of Samantha Lovelady and the property claim of Thomas Davis, in the total amount of \$10,028 as set forth above, be approved.