



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: SC-1718-11

File ID: SC-1718-11 **Type:** Special Claim **Status:** Consent Item

Version: 1 **Reference:** Item 14 **In Control:** City Council

Department: Legal Department **Cost:** \$2,504.37 **File Created:** 11/28/2017

File Name: Special Claim from Andrew J. Start **Final Action:**

Title: SPECIAL CLAIM SC-1718-11: SUBMITTED BY ANDREW J. START IN THE AMOUNT OF \$2,504.72 FOR DAMAGE TO HIS VEHICLE AS A RESULT OF AN ACCIDENT WITH A CITY RECYCLING BIN AT 2443 WEST MAIN STREET.

Notes: ACTION NEEDED: Motion to approve or reject Special Claim SC-1718-11; and, if approved, direct payment in the amount of \$2,504.72 contingent upon obtaining a Release and Covenant Not to Sue from Andrew J. Start.

ACTION TAKEN: _____

Agenda Date: 12/19/2017

Agenda Number: 14

Attachments: City Clerk Memo, Notice of Tort Claim, Estimate, Photographs

Project Manager: Jeanne Snider, Assistant City Attorney

Entered by: sencinias@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-1718-11

Body

BACKGROUND: A claim was filed by Andrew J. Start in the amount of \$2,504.72, for damage to his vehicle that occurred at the City Recycling Center at 2443 West Main Street on October 4, 2017.

DISCUSSION: This incident was investigated by Monte Davis, Utilities Supervisor, and it has been determined that on October 4, 2017, a City Sanitation employee was in the process of hauling away a large bin from the Recycling Center at 2443 West Main Street. As he attempted to drive past Mr. Start's vehicle, he misjudged the distance between it and the bin he was hauling and subsequently struck the right rear portion of the vehicle.

Mr. Start submitted three (3) estimates for the repair of the rear bumper, rear lamps and pick-up box (bed) of his 2004 Nissan Titan Crew Cab pick-up truck, with the lowest estimate being \$2,504.37.

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 amount of Mr. Start's claim, \$2,504.37, appears reasonable.

RECOMMENDATION: Based upon the above and foregoing, it is the recommendation of the City Attorney's office that the claim of Andrew J. Start, in the amount of \$2,504.37 as set forth above, be approved.