



# City of Norman, OK

Municipal Building  
Council Chambers  
201 West Gray  
Norman, OK 73069

## Master

**File Number: SC-1415-10**

**File ID:** SC-1415-10

**Type:** Special Claim

**Status:** Consent Item

**Version:** 1

**Reference:** Item No. 18

**In Control:** City Council

**Department:** Legal Department

**Cost:** \$4,695.00

**File Created:** 10/06/2014

**File Name:** SC-1415-10 Claim of Matt Cargill Roof Damage

**Final Action:**

**Title:** SPECIAL CLAIM NO. SC-1415-10: A CLAIM IN THE AMOUNT OF \$4,695 SUBMITTED BY MATT CARGILL FOR DAMAGES TO THE ROOF OF HIS HOME AT 421 EAST HUGHBERT STREET FROM ROCKS AND DEBRIS FROM A RUPTURED WATER MAIN AT A NEARBY RESIDENCE.

**Notes:** ACTION NEEDED: Motion to approve or reject Special Claim No. SC-1314-10; and, if approved, direct payment in the amount of \$4,695 contingent upon obtaining a Release and Covenant Not to Sue from Matt Cargill.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 10/14/2014

**Agenda Number:** 18

**Attachments:** Cargill Claim.pdf, Cargill Clerk Memo.pdf, Cargill Photos.pdf

**Project Manager:** Jeanne Snider, Assistant City Attorney

**Entered by:** jayme.rowe@normanok.gov

**Effective Date:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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### Text of Legislative File SC-1415-10

Body

**BACKGROUND:** A claim has been filed by Matt Cargill for damage to his roof at 421 East Hughbert Street when a City of Norman water main broke on August 20, 2014, and rocks and debris were blown onto his roof. The amount of damages suffered by Mr. Cargill is \$4,695.00.

**DISCUSSION:** This incident was investigated by David Hager, Utilities Superintendent. According to his investigation, a City crew responded to a water main break at 424 East Hughbert Street at midnight on August 19, 2014. After this water main break was repaired, select backfill material (1.5") aggregate rock was placed in the excavation so the homeowner could access the driveway.

At approximately 5:30 a.m. on August 20, 2014, the water main ruptured again within three feet of the previous repair. The repair crew arrived back to the location at approximately 6:00 a.m. and observed water and rock blowing from the previous excavation onto the roof and yard area of Mr. Cargill's residence. According to the repair crew's work report, the second rupture occurred on top of the water main pointing in the direction of Mr.

Cargill's residence, creating an easy path of resistance for water and rock from the previous repair to flow on top of the roof and yard area.

There appears to be possible negligence on the part of the City in this matter and consequently, potential liability on the City. The estimate for the damage to the roof at Mr. Cargill's residence in the amount of \$4,695.00 appears reasonable.

**RECOMMENDATION:** Based upon the above, it is recommended by the City Attorney's Office that the claim of Matt Cargill in the amount of \$4,695.00 for repair of his roof be approved by Council.