



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: SC-1718-13

File ID: SC-1718-13 **Type:** Special Claim **Status:** Consent Item

Version: 1 **Reference:** Item 16 **In Control:** City Council

Department: Legal Department **Cost:** \$6,400.00 **File Created:** 12/12/2017

File Name: Special Claim from Shane and Joe Williams **Final Action:**

Title: SPECIAL CLAIM SC-1718-13: SUBMITTED BY SHANE AND JOE WILLIAMS IN THE AGREED SETTLEMENT AMOUNT OF \$6,400 FOR PROPERTY DAMAGE, MEDICAL EXPENSES, AND PAIN AND SUFFERING AS A RESULT OF A VEHICLE ACCIDENT WITH A CITY POLICE OFFICER ON STATE HIGHWAY 9.

Notes: ACTION NEEDED: Motion to approve or reject Special Claim SC-1718-13; and, if approved, direct the agreed settlement amount of \$6,400 contingent upon obtaining a Release and Covenant Not to Sue from Shane and Joe Williams.

ACTION TAKEN: _____

Agenda Date: 12/19/2017

Agenda Number: 16

Attachments: City Clerk Memo, Tort Claim, Incident Report - Redacted

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: |
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Text of Legislative File SC-1718-13

Body

BACKGROUND: A claim was filed by Shane and Joe Williams on October 23, 2017, in excess of \$10,000 for property damage and personal injuries, including but not limited to medical expenses and pain and suffering, due to their claim that on July 13, 2017, their 2007 Chevrolet Tahoe SUV was struck by a City of Norman Police Officer.

DISCUSSION: On July 13, 2017, a City of Norman Police Officer attempted a U-turn on State Highway 9 in an attempt to pursue a speeding vehicle which was traveling in the opposite direction. As the Officer attempted the turn, he struck the Claimants' oncoming vehicle. A supervisory incident review classified the collision as preventable and disciplinary action related to the incident has been completed.

Both Claimants were in their vehicle at the time of the incident and both received medical treatment at Norman Regional Hospital. Claimants subsequently incurred total medical expenses of \$3,826.81 due to the incident and further request and additional amount of \$2,073.19 for future medical expenses and pain and suffering.

With regard to property damage, the City has been in contact with Claimants' insurance company, Farmers Insurance, who determined the vehicle to be a total loss. They have fully compensated their clients and have agreed that they cannot pursue a subrogation claim pursuant to the state statute for tort claims. Claimants, however, request compensation for their deductible of \$500.

An agreement has been reached between all parties in the amount of \$6,400 as settlement of all claims in this action as detailed above.

RECOMMENDATION: Based upon the above and foregoing, it is the recommendation of the City Attorney's Office that the claim of Shane and Joe Williams, in the agreed settlement amount of \$6,400 as set forth above, be approved.