



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: SC-2021-7

File ID: SC-2021-7 **Type:** Special Claim **Status:** Consent Item

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

Department: Legal Department **Cost:** \$10,621.43 **File Created:** 12/08/2020

File Name: Special Claim from Greer and Don Schooler **Final Action:**

Title: SPECIAL CLAIM SC-2021-7: SUBMITTED BY GREER AND DON SCHOOLER IN THE TOTAL AMOUNT OF \$10,621.43 FOR VEHICLE DAMAGE AND CAR RENTAL FEES INCURRED AS A RESULT OF A COLLISION WITH A CITY VEHICLE ON NOVEMBER 17, 2020, AT WEST ROBINSON STREET AND NORTH INTERSTATE DRIVE.

Notes: ACTION NEEDED: Motion to approve or reject Special Claim SC-2021-7; and, if approved, direct payment in the amount of \$10,621.43 contingent upon obtaining a Release and Covenant Not to Sue from Greer and Don Schooler.

ACTION TAKEN: _____

Agenda Date: 01/26/2021

Agenda Number: 14

Attachments: City Clerk Memo, Notice of Tort Claim, Repair Expense, Rental Expense, Photo, Collision Report - Redacted

Project Manager: Anthony Purinton, 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-2021-7

Body

BACKGROUND: A claim was filed by Greer and Don Schooler in the total amount of \$10,621.43 for car damage and car rental fees incurred as a result of a collision with a City Water Treatment Plant vehicle on November 17, 2020, at North Interstate Drive and West Robinson Street.

DISCUSSION: This incident was investigated by Geri Wellborn, Utilities Manager, who

reported that a City Water Treatment Plant employee was driving a City vehicle eastbound on West Robinson Street. The employee approached the intersection at West Interstate Drive but failed to see that his traffic light turned red. As the employee kept driving through the intersection, he subsequently struck Greer Schooler's car as Mr. Schooler was driving southbound through the intersection with a green traffic light.

Greer and Don Schooler, as joint owners of the car, submitted an initial estimate totaling \$6,493.31 to repair the damage sustained to the left front and side portion of their 2016 Ford Mustang. After the body shop was able to perform a complete teardown of the damage, an additional amount of damage was found in the amount of \$3,408.91. Mr. Schooler has since paid the repair invoice totaling \$10,343.75 and requests property damage reimbursement in this amount. He also requests reimbursement of car rental fees in the amount of \$277.68. This brings Mr. Schooler's reimbursement request to a total of \$10,621.43.

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. Schooler's claim, in the total amount of \$10,621.43, appears reasonable.

RECOMMENDATION: Based upon the above and foregoing, it is the recommendation of the City Attorney's office that the claim of Greer and Don Schooler, in the total amount of \$10,621.43 as set forth above, be approved.