



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: SC-1516-4

File ID: SC-1516-4

Type: Special Claim

Status: Consent Item

Version: 1

Reference: Item 17

In Control: City Council

Department: Legal Department

Cost: \$1,962.18

File Created: 11/18/2015

File Name: SC-1516-4 Claim submitted by Carmelita Burris

Final Action:

Title: SPECIAL CLAIM SC-1516-4: A CLAIM IN THE AMOUNT OF \$1,962.18 SUBMITTED BY CARMELITA BURRIS FOR DAMAGES TO HER VEHICLE DUE TO AN ACCIDENT WITH A PARKS AND RECREATION MOWER AT THE INTERSECTION OF SHERWOOD DRIVE AND ALAMEDA STREET.

Notes: ACTION NEEDED: Motion to approve or reject Special Claim SC-1516-4; and, if approved, direct payment in the amount of \$1,962.18 contingent upon obtaining a Release and Covenant Not to Sue from Carmelita Burris.

ACTION TAKEN: _____

Agenda Date: 12/08/2015

Agenda Number: 17

Attachments: Burris Tort Claim, Burris Accident Report

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-1516-4

Body

BACKGROUND: A claim has been filed by Carmelita Burris in the amount of \$1,962.18 for damage to her vehicle, a 2011 Chevrolet Equinox. The damages occurred on October 6, 2015, when a City of Norman mower struck her car at Sherwood Drive and Alameda Street.

DISCUSSION: This claim was investigated by Jud Foster, Director of Parks and Recreation. According to his investigation and the accident report, Ms. Burris' vehicle was stopped at a stop sign at the intersection of Sherwood Drive and Alameda Street while waiting to enter Alameda Street. Mr. Foster's investigation confirms that Brandon Rhodes, Parks and Recreation employee, was mowing in the area at the time and was unable to stop the mower which caused him to strike the rear of Ms. Burris's vehicle.

Ms. Burris obtained three estimates regarding the damage to her vehicle with the lowest estimate being \$1,952.18. Additionally, at the time of the accident, Ms. Burris' decorative license plate was destroyed. This decorative license plate is valued at \$10 and is included in Ms. Burris' claim which makes the total amount of Ms. Burris' claim \$1,962.18.

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 claim in the amount of \$1,962.18 from Ms. Burris' appears reasonable.

RECOMMENDATION: Based upon the above and foregoing, it is the recommendation of the City Attorney's office that the claim of Carmelita Burris in the amount of \$1,962.18 be paid.