



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: SC-2021-6

File ID: SC-2021-6 **Type:** Special Claim **Status:** Consent Item

Version: 1 **Reference:** Item 25 **In Control:** City Council

Department: Legal Department **Cost:** \$3,500.00 **File Created:** 12/01/2020

File Name: Special Claim from Houston Joy **Final Action:**

Title: SPECIAL CLAIM SC-2021-6: SUBMITTED BY HOUSTON JOY IN THE AGREED AMOUNT OF \$3,500 FOR EXPENSES INCURRED AS A RESULT OF A COLLISION WITH A CITY FIRE DEPARTMENT TRUCK ON JUNE 4, 2020, IN OKLAHOMA CITY.

Notes: ACTION NEEDED: Motion to approve or reject Special Claim SC-2021-6; and, if approved, direct payment in the agreed amount of \$3,500 contingent upon obtaining a Release and Covenant Not to Sue from Houston Joy.

ACTION TAKEN: _____

Agenda Date: 12/08/2020

Agenda Number: 25

Attachments: City Clerk Memo, Notice of Tort Claim, Expenses, Photos, Collision Report - Redacted

Project Manager: Jeanne Snider, 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:
1	City Council	12/08/2020					

Text of Legislative File SC-2021-6

Body

BACKGROUND: A claim was filed by Houston Joy for vehicle damage, tire replacement and car rental fees incurred as a result of a collision with a Fire Department truck on June 4, 2020, at a Sonic Drive-In on 9300 North Rockwell Avenue in Oklahoma City.

DISCUSSION: This incident was investigated by City staff. On June 4, 2020, a City firefighter was driving a Fire Department pick-up truck and was parked in a stall at Sonic Drive-In, 9300 North Rockwell, in Oklahoma City. As the firefighter began backing his truck to leave the stall,

Mr. Joy was also backing from his stall on the opposite side. They struck each other in the middle of the driveway.

Mr. Joy submitted three (3) estimates to repair the left rear area of his 2016 Hyundai Elantra, with the lowest estimate being \$4,342.70. He also submitted car rental fees of \$1,017.87 and a tire replacement expense of \$179.36, for a total reimbursement request of \$5,539.93. After discussions with Mr. Joy's attorney, a settlement was reached at an agreed amount of \$3,500.

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. This claim in the agreed settlement amount of \$3,500 appears reasonable.

RECOMMENDATION: Based on the above and foregoing, it is the recommendation of the City Attorney's office that the claim of Houston Joy, in the agreed amount of \$3,500 as set forth above, be approved.