



# City of Norman, OK

Municipal Building Council  
Chambers  
201 West Gray Street  
Norman, OK 73069

## Master

**File Number: SC-1213-4**

**File ID:** SC-1213-4

**Type:** Special Claim

**Status:** Consent Item

**Version:** 1

**Reference:** Item No. 14

**In Control:** City Council

**Department:** Legal Department

**Cost:** \$5,151.03

**File Created:** 11/30/2012

**File Name:** Claim of David White

**Final Action:**

**Title:** SPECIAL CLAIM NO. SC-1213-4: A CLAIM IN THE AMOUNT OF \$5,151.03 SUBMITTED BY DAVID WHITE FOR DAMAGES TO HIS VEHICLE DUE TO AN ACCIDENT WITH A POLICE VEHICLE NEAR THE INTERSECTION OF CLASSEN BOULEVARD AND CHICKASHA STREET.

**Notes:** ACTION NEEDED: Motion to approve or reject Special Claim No. SC-1213-4; and, if approved, direct payment in the amount of \$5,151.03 contingent upon obtaining a Release and Covenant Not to Sue from David White.

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

**Agenda Date:** 12/18/2012

**Agenda Number:** 14

**Attachments:** Clerk Memo White Claim, Special Claim White,  
Traffic Collision Report White

**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-1213-4

Body

**BACKGROUND:** A claim has been filed by David White for damage to his vehicle in the total amount of \$5,151.03 due to an accident that occurred on October 23, 2012, when a City of Norman police vehicle made a u-turn in response to a call from Dispatch and struck Mr. White's vehicle near the intersection of Classen Boulevard and Chickasha Street.

**DISCUSSION:** According to Mr. White and the official police report and investigation, the police vehicle, driven by Officer Adam Crane, was southbound on Classen in the inside lane. Mr. White's vehicle was also southbound on Classen, directly behind Officer Crane's vehicle. As Officer Crane began to initiate the u-turn, he pulled directly into the path of Mr. White's vehicle. No emergency equipment was activated on the police vehicle prior to the collision. As mentioned previously, the Police Department investigation confirmed that the officer's actions were, in fact, the cause of the accident.

Mr. White's vehicle was not drivable following the collision and he was, therefore, only able to get one estimate of the damage. That estimate was in the amount of \$4,872.80. However, when Mr. White picked his vehicle up

following the repair, he was advised that additional damage was discovered during the repair process and he has, subsequently, provided additional documentation and amended his claim to \$5,151.03.

Mr. White's claim has been investigated and has reached a point of resolution. 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 damage claimed by Mr. White in the amount of \$5,151.03 appears to be reasonable. The proposed settlement was discussed by Council in Executive Session on December 11, 2012.

**RECOMMENDATION:** Based upon the above and Council's input from the Executive Session, it is recommended by the City Attorney's Office that the payment of Mr. White's claim in the amount of \$5,151.03, as above set forth, be approved by City Council. The settlement proceeds will be paid from the Special Claims Account No. 043-2251-415.47-18.