



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: SC-1415-4

File ID: SC-1415-4 **Type:** Special Claim **Status:** Consent Item

Version: 2 **Reference:** Item No. 15 **In Control:** City Council

Department: Legal Department **Cost:** \$3,568.65 **File Created:** 08/11/2014

File Name: Special Claim by HAC, Inc. for damage to vehicle **Final Action:**

Title: SPECIAL CLAIM NO. SC-1415-4: A CLAIM IN THE AMOUNT OF \$3,568,65 SUBMITTED BY HAC, INC., FOR DAMAGES TO A COMPANY VEHICLE DUE TO AN ACCIDENT WITH A SANITATION VEHICLE AT 110 ED NOBLE PARKWAY.

Notes: ACTION NEEDED: Motion to approve or reject Special Claim No. SC-1415-4; and, if approved, direct payment in the amount of \$3,568.65 contingent upon obtaining a Release and Covenant Not to HAC, INC.

ACTION TAKEN: _____

Agenda Date: 08/26/2014

Agenda Number: 15

Attachments: Memo from Clerk.pdf, Special Claim No. SC-1415-4 HAC.pdf, Police Report.pdf

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:

Text of Legislative File SC-1415-4

Body

BACKGROUND: A claim has been filed by HAC, Inc. through Craig Nelson, Risk Manager for HAC, Inc., for damage to their vehicle when a City of Norman sanitation truck backed into HAC's vehicle on June 6, 2014, at 110 Ed Noble Parkway. The estimate to repair the vehicle owned by HAC, Inc. is \$3,568.65.

DISCUSSION: This incident was investigated by Gary Seal, Acting Utilities Superintendent. According to his investigation, the damage to the HAC, Inc. vehicle was caused by driver error when the driver was dumping commercial dumpsters in the Burger King parking lot. After dumping the first dumpster, the sanitation truck driver was backing up to reposition his truck to dump another dumpster and failed to see the parked vehicle owned by HAC, Inc. behind him. There appears to be possible negligence on the part of the City in this matter and consequently, potential liability on the City. The estimate for the damage to the vehicle owned by HAC, Inc. appears reasonable.

RECOMMENDATION: Based upon the above, it is recommended by the City Attorney's Office that the claim of

HAC, Inc. in the amount of \$3,568.65 for repair of their vehicle be approved by Council.