



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: SC-1415-3

File ID: SC-1415-3

Type: Special Claim

Status: Consent Item

Version: 1

Reference: Item No. 21

In Control: City Council

Department: Legal Department

Cost: \$4,425.83

File Created: 07/10/2014

File Name: Special Claim filed by Jack Loughridge

Final Action:

Title: SPECIAL CLAIM NO. SC-1415-3: A CLAIM IN THE AMOUNT OF \$4,425.83 PLUS RENTAL CAR EXPENSES SUBMITTED BY JACK LOUGHRIDGE FOR DAMAGES TO HIS VEHICLE DUE TO AN ACCIDENT WITH A UTILITIES VEHICLE AT THE TRANSFER STATION LOCATED AT 3902 SOUTH CHAUTAUQUA AVENUE

Notes: ACTION NEEDED: Motion to approve or reject Special Claim No. SC-1415-3; and, if approved, direct payment in the amount of \$4,425.83 plus rental car expenses contingent upon obtaining a Release and Covenant Not to Sue from Jack Loughridge.

ACTION TAKEN: _____

Agenda Date: 07/22/2014

Agenda Number: 21

Attachments: Text File Loughridge Claim.pdf, Clerk Memo - Loughridge.pdf, Special Claim No. SC-1415-3.pdf, Police report Loughridge.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:
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Text of Legislative File SC-1415-3

Body

BACKGROUND: A claim has been filed by Jack Loughridge for damage to his vehicle when a City front end loader backed into Mr. Loughridge's vehicle on May 27, 2014, at the Transfer Station located at 3902 S. Chautauqua. City employee, Larry Tomlinson, was operating the front end loader and stated that he did not see Mr. Loughridge's vehicle behind him because of the height and design of the front end loader. The estimate to repair Mr. Loughridge's vehicle is \$4,425.83. Additionally, rental car expenses will be incurred while his vehicle is being repaired.

DISCUSSION: This incident was investigated by Monte Davis, Utilities Supervisor. According to his investigation, the damage to Mr. Loughridge's vehicle was caused by operator error which was due, in part, to the height and design of the articulating front-end loader which prevented the operator from seeing the vehicle 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 body damage repair of Mr. Loughridge's vehicle appears reasonable.

Mr. Loughridge will require the use of a rental car while his car is being repaired and will file a supplemental tort claim for that amount.

RECOMMENDATION: Based upon the above, it is recommended by the City Attorney's Office that the claim of Jack Loughridge in the amount of \$4,425.83 for repair of his car plus rental car expense be approved by Council.