



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: SC-1718-5

File ID: SC-1718-5

Type: Special Claim

Status: Consent Item

Version: 1

Reference: Item 19

In Control: City Council

Department: Legal Department

Cost: \$3,431.14

File Created: 09/05/2017

File Name: Special Claim from NMD Holdings d/b/a Norman Mitsubishi

Final Action:

Title: SPECIAL CLAIM SC-1718-5: SUBMITTED BY NMD HOLDINGS D/B/A NORMAN MITSUBISHI IN THE AMOUNT OF \$3,431.14 FOR DAMAGE TO THEIR VEHICLE AS A RESULT OF AN ACCIDENT WITH A SANITATION VEHICLE IN THE PARKING LOT OF 2539 WEST MAIN STREET.

Notes: ACTION NEEDED: Motion to approve or reject Special Claim SC-1718-5; and, if approved, direct payment in the amount of \$3,431.14 contingent upon obtaining a Release and Covenant Not to Sue from NMD Holdings d/b/a Norman Mitsubishi.

ACTION TAKEN: _____

Agenda Date: 09/12/2017

Agenda Number: 19

Attachments: City Clerk Memo, Tort Claim, Estimate, Photographs

Project Manager: Jeanne Snider, Assistant City Attorney

Entered by: sencinias@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-1718-5

Body

BACKGROUND: A claim was filed by NMD Holdings d/b/a Norman Mitsubishi in the amount of \$3,431.14 for damages their vehicle received on or about June 16, 2017, when it was struck by a City of Norman Sanitation vehicle while it was parked at 2539 West Main Street.

DISCUSSION: This incident was investigated by Casey Sides, Utilities Supervisor, and it has been determined that on or about June 16, 2017, a City Sanitation employee was emptying a trash bin in the parking lot of Jimmy's Egg restaurant located at 2539 West Main Street. As the employee began backing up the sanitation vehicle to empty the trash bin, the sanitation vehicle hit and caused damage to the claimant's parked vehicle, a 2015 Chevrolet Silverado 1500 LT.

The Claimant has submitted three (3) estimates to repair the right rear side panel, bumper and tailgate of the Chevrolet Silverado and the lowest estimate is for \$3,431.14. 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. Claimant's request in the amount of \$3,431.14 appears reasonable.

RECOMMENDATION: Based upon the above and foregoing, it is the recommendation of the City Attorney's office that the claim of NMD Holdings, L.L.C. d/b/a Norman Mitsubishi, in the amount of \$3,431.14 as set forth above, be approved.