



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: SC-1415-12

File ID: SC-1415-12

Type: Special Claim

Status: Consent Item

Version: 2

Reference: Item 16

In Control: City Council

Department: Legal Department

Cost: \$1,658.54

File Created: 02/09/2015

File Name: Claim from Xiangyu Bing for vehicle damage

Final Action:

Title: SPECIAL CLAIM SC-1415-12: A CLAIM IN THE AMOUNT OF \$1,658.54 SUBMITTED BY XIANGYU BING FOR DAMAGES INCURRED TO HER PARKED VEHICLE THAT WAS STRUCK BY A SANITATION VEHICLE AT 401 12TH AVENUE S.E.

Notes: ACTION NEEDED: Motion to approve or reject Special Claim No. SC-1415-12; and, if approved, direct payment in the amount of \$1,658.54 contingent upon obtaining a Release and Covenant Not to Sue from Xiangyu Bing.

ACTION TAKEN: _____

Agenda Date: 02/24/2015

Agenda Number: 16

Attachments: Memo from Clerk Bing Claim.pdf, Tort Claim, Bing Estimate

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-1415-12

Body

BACKGROUND: A claim has been filed by Xiangyu Bing for damage to her vehicle when a City sanitation truck struck the vehicle while it was parked in the parking lot in front of her condominium located at 401 12th Avenue SE on November 24, 2014. The lowest estimate to repair Ms. Bing's vehicle is \$1,658.54.

DISCUSSION: This incident was investigated by Gary Seal, Utilities Supervisor. According to his investigation, it was determined that the damage to Ms. Bing's vehicle was caused when the driver of the Sanitation Collection truck was turning around. The driver did not allow enough clearance and struck Ms. Bing's vehicle.

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 Ms. Bing's vehicle appears reasonable.

RECOMMENDATION: Based upon the above, it is recommended by the City Attorney's Office that the claim of Xiangyu Bing in the amount of \$1,658.54 for repair of her car be approved.