



City of Norman, OK

Municipal Building
Council Chambers
201 West Gray
Norman, OK 73069

Master

File Number: SC-1819-2

File ID: SC-1819-2

Type: Special Claim

Status: Consent Item

Version: 1

Reference: Item 16

In Control: City Council

Department: Legal Department

Cost: \$3,269.53

File Created: 08/14/2018

File Name: Special Claim from Daniela Flores

Final Action:

Title: SPECIAL CLAIM SC-1819-2: SUBMITTED BY DANIELA FLORES IN THE AMOUNT OF \$3,269.53 FOR DAMAGE TO HER VEHICLE AS A RESULT OF AN ACCIDENT WITH A FRONT END LOADER WHILE PICKING UP DEBRIS DURING SPRING CLEANUP AT 340 WICHITA DRIVE.

Notes: ACTION NEEDED: Motion to approve or reject Special Claim SC-1819-2; and, if approved, direct payment in the amount of \$3,269.53 contingent upon obtaining a Release and Covenant Not to Sue from Daniela Flores.

ACTION TAKEN: _____

Agenda Date: 09/11/2018

Agenda Number: 16

Attachments: City Clerk Memo, Notice of 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-1819-2

Body

BACKGROUND: A claim was filed by Daniela Flores in the amount of \$3,269.53 for damages to her car when it was struck by a City front loader on April 28, 2018, at 340 Wichita Drive.

DISCUSSION: This incident was investigated by Carrie Evenson, Stormwater Program Manager, who found that on April 28, 2018, City employees were performing Spring Clean-Up on Wichita Drive. Also located in the area was Ms. Flores' car which was legally parked along the curb. A City employee was operating a front loader near a debris pile when he misjudged the distance between the front loader and Ms. Flores' car and subsequently struck her car with the front bucket of the loader.

Ms. Flores submitted three (3) estimates to repair the left rear quarter panel, door and rear bumper of her 2013 Chevrolet Sonic, with the lowest estimate being \$3,269.53. 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. Ms. Flores' claim, in the amount of \$3,269.53, appears reasonable.

RECOMMENDATION: Based upon the above and foregoing, it is the recommendation of the City Attorney's office that the claim of Daniela Flores, in the amount of \$3,269.53 as set forth above, be approved.