



# City of Norman, OK

Municipal Building  
Council Chambers  
201 West Gray  
Norman, OK 73069

## Master

**File Number: SC-1920-1**

**File ID:** SC-1920-1

**Type:** Special Claim

**Status:** Consent Item

**Version:** 1

**Reference:** Item 15

**In Control:** City Council

**Department:** Legal Department

**Cost:** \$1,750.00

**File Created:** 07/25/2019

**File Name:** Special Claim from Deborah N. Maupin

**Final Action:**

**Title:** SPECIAL CLAIM SC-1920-1: SUBMITTED BY DEBORAH N. MAUPIN IN THE REDUCED AMOUNT OF \$1,750.00 FOR DAMAGE TO HER VEHICLE AS A RESULT OF AN INCIDENT WITH A SANITATION DEPARTMENT TRUCK AT 3312 GREENWOOD DRIVE.

**Notes:** ACTION NEEDED: Motion to approve or reject Special Claim SC-1920-1; and, if approved, direct payment in the reduced amount of \$1,750.00 contingent upon obtaining a Release and Covenant Not to Sue from Deborah N. Maupin.

ACTION TAKEN: \_\_\_\_\_

**Agenda Date:** 08/13/2019

**Agenda Number:** 15

**Attachments:** Text File, City Clerk memo, Notice of Tort Claim, Estimate Summary, Photo, Police Report - redacted

**Project Manager:** Jeanne Snider, Assistant City Attorney

**Entered by:** sarah.encinias@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-1920-1

Body

**BACKGROUND:** A claim was filed by Deborah N. Maupin in the amount of \$4,874.72 for damage her car received when it was struck by a City Sanitation truck on December 24, 2018, at 3312 Greenwood Drive.

**DISCUSSION:** This incident was investigated by Terry Richmond, Utilities Supervisor. On December 24, 2018, a City employee was driving a sanitation truck on Greenwood Drive when he tried to maneuver past vehicles that were legally parked along the curb on opposite sides of the street. The employee misjudged the distance needed to successfully pass the vehicles and

subsequently struck Ms. Maupin's car also parked along the curb.

Ms. Maupin submitted three (3) estimates to repair her 2005 Honda Accord, with the lowest estimate being \$4,874.72. Research indicates the average value of this vehicle is \$2,847.33. After negotiation, Ms. Maupin agreed to retain possession of her car and accept \$1,750.00 for damages.

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. Maupin's claim, in the agreed amount of \$1,750.00, appears reasonable.

**RECOMMENDATION:** Based upon the above and foregoing, it is the recommendation of the City Attorney's office that the claim of Deborah Maupin, in the agreed amount of \$1,750.00 as set forth above, be approved.