



## CITY OF NORMAN, OK STAFF REPORT

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**MEETING DATE:** 11/26/2024

**REQUESTER:** AshLynn Wilkerson, Assistant City Attorney

**PRESENTER:** AshLynn Wilkerson, Assistant City Attorney

**ITEM TITLE:** CONSIDERATION OF ADOPTION, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF SPECIAL CLAIM SC-2425-3: SUBMITTED BY FAITH RICHARDS IN THE TOTAL AMOUNT OF \$18,010.47 FOR DAMAGE TO HER VEHICLE AS A RESULT OF AN INCIDENT THAT OCCURRED ON AUGUST 1, 2024 AT THE NORMAN POLICE DEPARTMENT PARKING LOT.

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### **BACKGROUND:**

A claim was filed by Faith Richards for expenses incurred when her vehicle was struck by ground debris on August 1, 2024 while it was parked at the City of Norman Police Department (PD) parking lot, located at 112 West Daws Street. This is a companion claim to Special Claim SC-2425-2 filed by David and Kimberly Grissam.

### **DISCUSSION:**

As with Special Claim SC-2425-2, this claim involves the same incident as previously described and restated below:

On Tuesday, July 30, 2024, a Parks Department Manager notified a Police Major that landscaping work would be done on Friday, August 2nd, and that all vehicles would need to be moved away from the east side of the parking lot behind the PD building. As such, the Police Major notified his staff by email to park away from this area on this day. The PD parking lot was recently repaved and enclosed as part of the Municipal Complex renovation project and this landscaping was to be the final work planned for the lot.

On the morning of Thursday, August 1st, Parks staff arrived at the east side of the PD parking lot and began using string lawn trimmers to cut weeds in the dirt prior to installation of rock the following day, August 2nd. PD staff were not expecting landscaping work on this day and many had parked on the east side as usual. While Parks staff were working in the area, PD staff noticed small and large debris go airborne and hit their vehicles. Once work stopped, PD staff were able to visually inspect their vehicles and some found they had sustained damage. The Police Major contacted the Parks Department Manager to inform him of the incident, saved video footage of the east side parking area, and instructed affected PD staff to file tort claims as necessary.

This is the second claim for this incident. Ms. Richards submitted two (2) estimates to repair exterior damage to her 2019 Jeep Grand Cherokee Laredo, with the lowest estimate being \$15,516.62. As in the Grissam claim, damage was sustained to all sides of the vehicle because dirt work occurred on both sides of the vehicle.

Reimbursement of rental car fees is also requested during the time the vehicle is expected to be in the repair shop. The rental is priced at about \$83 per day for roughly 30 days to repair (which includes additional shop time due to the holidays) for a total of \$2,493.85. This amount is an increase of about \$600 from the Grissam claim because of a “Young Renter Fee” charged due to Ms. Richards being under 25 years old.

The repair estimate and rental car estimate together brings Ms. Richard’s total claim amount to \$18,010.47. The approximate value of the vehicle is approximately the same amount of this claim, making the amount of the claim reasonable. The City Attorney’s Office now presents this item to City Council for consideration.

**RECOMMENDATION:**

Based up on the above and foregoing, it is the recommendation of the City Attorney’s Office that the claim of Faith Richards, in the total amount of \$18,010.47 as set forth above, be approved. Adequate funds to pay this settlement are available in the Risk Management – Special Claims account (43122351-44718).