



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 05/13/2025

REQUESTER: AshLynn Wilkerson, Assistant City Attorney

PRESENTER: AshLynn Wilkerson, Assistant City Attorney

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT, AND/OR POSTPONEMENT OF SPECIAL CLAIM SC-2425-6: SUBMITTED BY RONALD FULLERTON IN THE AMOUNT OF \$16,663.21 FOR DAMAGE HIS VEHICLE RECEIVED ON FEBRUARY 17, 2025, ON 48TH AVENUE NW NEAR DAVINBROOK STREET.

BACKGROUND:

A claim was filed by Ronald Fullerton in the total amount of \$16,663.21 for damage his vehicle received when it was struck by a City Line Maintenance truck on February 17, 2025, on 48th Avenue NW, near Davinbrook Street.

DISCUSSION:

This incident was investigated by the City's Line Maintenance Manager. On February 17, 2025, where the street narrows to two lanes, one City Line Maintenance work truck was stopped along the right side of 48th Avenue NW. There is no shoulder in this area and this left the City truck blocking the northbound lane of travel. Another City Line Maintenance work truck was driving northbound to join the stopped vehicle. Mr. Fullerton was following this second Line Maintenance vehicle when both vehicles maneuvered around the stopped vehicle through the southbound lane to proceed northbound in the proper lane.

When the second Line Maintenance vehicle subsequently stopped after passing the stopped City vehicle, Mr. Fullerton stopped as well and proceeded to make his presence known as the Line Maintenance vehicle began to reverse. Mr. Fullerton could not reverse due to oncoming traffic in the southbound lane and the stopped City vehicle behind him in the northbound lane. The City Line Maintenance vehicle did not register Mr. Fullerton's vehicle, despite his best efforts, and backed into it.

Mr. Fullerton submitted a final auto repair bill for \$15,111.28, showing the cost he incurred to repair his 2021 Lexus GX 460 SUV. He also submitted a car rental bill for \$1,551.93, reflecting the approximate month it took to have his vehicle repaired. This makes Mr. Fullerton's total reimbursement request equal \$16,663.21. The registered owner of the vehicle is the Stephanie

Diane Fullerton Revocable Trust however Ronald Fullerton claims to be a trustee and will be required to provide proof of this and to execute a release form prior to receiving payment from the City.

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. Mr. Fullerton's claim in the total amount of \$16,663.21 appears reasonable.

RECOMMENDATION:

Based on the above and foregoing, it is the recommendation of the City Attorney's Office that the Special Claim of Ronald Fullerton, in the total amount of \$16,663.21 as set forth above, be approved.

Funds are available in Miscellaneous Services-Special Claims (Account 43122351-44718) to cover the claim.