



CITY OF NORMAN, OK STAFF REPORT

MEETING DATE: 11/14/2023

REQUESTER: Kathryn Walker, Assistant City Attorney

PRESENTER: Anthony Purinton, Assistant City Attorney

ITEM TITLE: CONSIDERATION OF APPROVAL, ACCEPTANCE, REJECTION, AMENDMENT AND/OR POSTPONEMENT OF SPECIAL CLAIM SC-2324-1: GIVING SETTLEMENT AUTHORITY TO THE CITY MANAGER FOR A CLAIM SUBMITTED BY HOYT HALLFORD, JR., FOR REPAIR AND RENTAL CAR EXPENSES RELATING TO DAMAGES HIS CAR RECEIVED WHEN IT WAS STRUCK BY A POLICE DEPARTMENT VEHICLE ON OCTOBER 19, 2023, AT STATE HIGHWAY 9 AND JUANITA LANE.

BACKGROUND:

A claim was filed by Hoyt Hallford, Jr. for vehicle damage and rental fees when his car was struck by a City Police Department vehicle on October 19, 2023, at State Highway 9 near Juanita Lane.

DISCUSSION:

Kevin Foster, Chief of Police, investigated this incident. On October 19, 2023, a City Police Department officer was stopped in his patrol vehicle facing westbound on the shoulder of State Highway 9, near Juanita Lane. The officer observed another driver commit a traffic violation while traveling the opposite direction but in order to pull the driver over, the officer had to turn his vehicle around. At the same time, Mr. Hoyt's vehicle was traveling westbound on Highway 9 and quickly approaching the officer's position when the officer activated his lights and pulled out to begin a U-turn. Consequently, the front of the officer's vehicle impacted the passenger's side of Mr. Hoyt's car. No injuries resulted from the accident however both vehicles were rendered undriveable.

Mr. Hoyt submits an estimate to repair damage to his 2017 Hyundai Sonata in the amount of \$9,701.11. Mr. Hoyt also requests payment for car rental fees he is incurring while his car is inoperable. Car rental fees are approximately \$30 per day and Mr. Hoyt expects to require a rental car for at least 30 days for a total expense of \$900. City staff research indicates the average value of Mr. Hoyt's vehicle is \$16,320, making repairs reasonable. Final damages amounts will not be available until the vehicle's repairs are completed.

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. Hoyt's claim appears compensable. Mr. Hoyt has indicated that he is willing to settle his claim for an amount equal to the cost to repair his vehicle and his rental car expenses.

RECOMMENDATION:

Based upon the above and foregoing, it is the recommendation of the City Attorney's office that City staff be given settlement authorization to settle the claim of Hoyt Halford, Jr., for an amount not to exceed \$16,320, or for the actual cost of repairs and rental car expenses, whichever is less. Funds are available in Miscellaneous Services-Special Claims (43122351-44718) to cover the claim.