



# City of Broken Arrow

## Request for Action

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**File #: 16-1426, Version: 1**

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**Broken Arrow City Council  
Meeting of: 12-06-2016**

**To:** **Mayor and City Council**  
**From:** **Office of the City Attorney**  
**Title:**

**Consideration, discussion, and possible approval of and  
authorization to execute Resolution No. 963, a Resolution  
authorizing the City Attorney to agree to enter into the Final Entry  
of Judgment without admitting liability in the matter of David and  
Christina Vranesovich and directing the City Attorney to prepare  
and file the necessary documents to effectuate settlement including a  
Journal Entry incorporating the resolution for the Court's approval  
pursuant to 51 O.S. § 158**

**Background:**

On June 17, 2016, David and Christina Vranesovich submitted a tort claim by and through their attorney of record, Joseph Bufogle, Sr. This tort claim was submitted as a result of an automobile accident that occurred September 6, 2015. The tort claim alleges that City employee, Bryce Daniel Campbell failed to yield at a red light on 9<sup>th</sup> Street and collided with Mr. and Mrs. Vranesovich. The City of Broken Arrow cited Mr. Campbell for failing to yield the right of way.

The Vranesovich's have requested compensation in the amount of \$125,000.00 under the Governmental Tort Claims Act. This request included property damage, lost wages, and past and future medical bills of the parties.

The City of Broken Arrow is clearly liable for its employee, Mr. Campbell's collision with Mr. and Mrs. Vranesovich. Mr. Campbell was within the scope of his employment at the time of the collision. The parties have discussed the possibility of a settlement and the Plaintiffs have agreed to settling the matter with David Vranesovich receiving a settlement of \$27,500.00 and Christina Vranesovich receiving a settlement in the amount of \$16,500.00. This settlement would encompass all claims, present and future. Staff believes the sums stated are reasonable considering the damages and medical bills the parties have sustained and as such recommends the settlement in these amounts.

Attached is a Resolution authorizing entry of judgment in the matter for Mr. Vranesovich in the amount of \$27,500.00 and Mrs. Vranesovich in the amount of \$16,500.00. This matter has also been placed for discussion on Executive Session should the Council wish to discuss it in advance of consideration of this Resolution.

**Cost:** **\$44,000.00**

**Prepared By:** **Beth Anne Wilkening, City Attorney**

**Reviewed By:** **Assistant City Manager-Operations**  
**Director of Finance Department**

**Approved By:** **Michael L. Spurgeon, City Manager**

**Attachments:** **Resolution No. 963**

**Recommendation:**

Approve Resolution No. 963 and authorize its execution.