

**THE CITY OF OKLAHOMA CITY
OFFICE OF
THE MUNICIPAL COUNSELOR**

Council Agenda
Item No. XI. I
3/25/2025

TO: Mayor and City Council

FROM: Kenneth Jordan, Municipal Counselor

1. Resolution authorizing the Municipal Counselor to confess Judgment without admitting liability in the case of *Christopher Ford v. City of Oklahoma City*, Oklahoma County District Court, Case No. CJ-2023-6943;

AND/OR

2. Enter into executive session on advice of the Municipal Counselor to receive confidential communications from its attorney regarding settlement discussions in this case as authorized by 25 O.S. (2024 Supp.) §307(B)(4), because disclosure would seriously impair the ability of the public body to conduct the litigation with settlement discussion in the public interest.

On December 7, 2023, Plaintiff filed this lawsuit against the City of Oklahoma City alleging a negligence cause of action resulting in property and personal injuries arising from a May 27, 2023, crash while riding his bicycle on a City owned bike trail known as the North River Trail near downtown Oklahoma City. Plaintiff's counsel has provided supporting documentation for personal injuries only to the City in the amount \$ 27,158.36. The Plaintiff's original demand was in excess of \$75,000. The Plaintiff is represented by attorney Nicholas Elliott of the West, Ylla, and Gosney Law firm. The City is represented by Assistant Municipal Counselor Linda Samuel-Jaha.

Investigation into this incident shows that on May 27, 2023, Plaintiff was riding his bicycle on a bike trail connecting the City owned South Grand Boulevard Trail/Tinker-Draper Trail to Oklahoma River Trail/Katy Trail that had been closed during construction for several months. The construction to build this trail began in early 2022 and was fully completed in November 2023. During this entire period the trail was closed with barricades and construction cones blocking entrances throughout the trail. During her deposition, the City's construction manager testified she frequently replaced the barricades and even witnessed bicycle riders removing barricades to ride in this construction area. Plaintiff admits he was aware the bike path was still under construction at the time of his fall and that there was construction debris, including fine sand and reflective beads on the bike path that posed a dangerous hazard. As a result of this accident, Plaintiff alleges injuries to his left knee and forearm and the dislocation of his right shoulder.

Plaintiff's counsel and counsel for the City have engaged in settlement negotiations. After negotiations, Counsel for the City has agreed to recommend \$5,000, as full and final settlement of all aspects of City's involvement in this litigation, including any future medical expenses or property damage claims. Plaintiff, through his counsel, has agreed to accept this amount.

It is the recommendation of this office that the Mayor and Council authorize the Municipal Counselor to confess judgment in favor of Plaintiff without admitting liability in this case in the amount of \$5,000. If Council would like more information regarding this case, it is the recommendation of the Municipal Counselor that Council retire into executive session with the Municipal Counselor to receive confidential communications with its attorney regarding this possible settlement.