



# City of La Quinta

**CITY / SA/ HA/ FA MEETING DATE:** March 18, 2014

**ITEM TITLE:** DENIAL OF CLAIM FOR DAMAGES FILED  
**BY:** JERRY SMIGURA; **DATE OF LOSS – AUGUST**  
**25, 2013**

**AGENDA CATEGORY:**

**BUSINESS SESSION:**

**CONSENT CALENDAR:** 7

**STUDY SESSION:**

**PUBLIC HEARING:**

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## **RECOMMENDED ACTION:**

Deny the claim for damages of Jerry Smigura in its entirety.

## **EXECUTIVE SUMMARY:**

A claim was filed by Jerry Smigura with a reported date of loss of August 25, 2013. It was forwarded to Carl Warren & Company, the City's claims administrator. Carl Warren reviewed this claim and recommends denial.

## **FISCAL IMPACT:**

The amount of the claim is approximately \$10,600.

## **BACKGROUND/ANALYSIS:**

The claim is for property damage due to flooding from a summer storm. The claimant states that debris from the new roundabout construction at Eisenhower Drive and Calle Sinaloa caused water backup and flooding. Carl Warren & Company based their denial on the flooding being a result of excess water coming from a 100-year storm, combined with the low grade of the claimant's property to the street. The claimant's property was the only property flooded on the street.

Report prepared by: Terry Deeringer, Human Resources, General Services Manager  
Report approved for submission by: Frank J. Spevacek, City Manager

