



# City of La Quinta

**CITY / SA/ HA/ FA MEETING DATE:** May 6, 2014

**ITEM TITLE:** DENIAL OF CLAIM FOR DAMAGES FILED  
BY: DAVID AND PATRICIA LAWSER; DATE OF LOSS  
– AUGUST 25, 2013

**AGENDA CATEGORY:**

**BUSINESS SESSION:**

**CONSENT CALENDAR:** 5

**STUDY SESSION:**

**PUBLIC HEARING:**

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## **RECOMMENDED ACTION:**

Deny the claim for damages of David and Patricia Lawser in its entirety.

## **EXECUTIVE SUMMARY:**

- A claim was filed by David and Patricia Lawser 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 the claim and recommends denial.

## **FISCAL IMPACT:**

The claim was submitted with an approximate amount of \$15,000.

## **BACKGROUND/ANALYSIS:**

The claim is for property damage due to flooding from a summer storm. The claimants state that the storm water drainage was inadequate and the overflow flooded the entire property, including their home and its contents. Carl Warren's investigation revealed no liability on behalf of the City, as the flooding condition created during the heavy rainfall was due to the golf course creating a berm in the City graded swale, restricting the natural flow of water to the golf course.

## **ALTERNATIVES:**

The City's claims administrator is relied on to perform an accurate and thorough

preliminary assessment of the claim from a liability standpoint and has recommended rejection of this claim. Staff does not, therefore, recommend an alternative action.

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