



City of La Quinta

CITY / SA/ HA/ FA MEETING DATE: January 6, 2015

ITEM TITLE: DENIAL OF CLAIM FOR DAMAGES FILED BY MICHAEL AND ROBIN HENDRICKS; DATE OF LOSS – SEPTEMBER 8, 2014

AGENDA CATEGORY:

BUSINESS SESSION:

CONSENT CALENDAR: 5

STUDY SESSION:

PUBLIC HEARING:

RECOMMENDED ACTION:

Deny the claim for damages of Michael and Robin Hendricks in its entirety.

EXECUTIVE SUMMARY:

- A claim was filed by Michael and Robin Hendricks with a reported date of loss of September 8, 2014.
- It was forwarded to Carl Warren & Company ("CW"), the City's claims administrator.
- CW reviewed the claim and recommends denial.

FISCAL IMPACT:

Stated damages are approximately \$12,333.

BACKGROUND/ANALYSIS:

The claimant alleges the City failed to properly maintain the storm drain system, which caused floodwaters to back up into the street, onto their property, and into their home causing damage. The claimant also alleges the City failed to open the flood control pipes at the golf course adjacent to their property. CW recommends denying the claim as the floodwaters were due to a 700-year storm, which overwhelmed the existing storm drain system by washing debris into the storm drain, causing a blockage. Furthermore, the City does not own or maintain the flood control pipes to the Dunes Golf Course.

ALTERNATIVES:

As CW 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 recommend an alternative action.

Report prepared by: Terry Deeringer, Human Resources/Risk Manager

Report approved for submission by: Frank J. Spevacek, City Manager