



City of La Quinta

CITY / SA/ HA/ FA MEETING DATE: May 5, 2015

ITEM TITLE: DENY CLAIM FOR DAMAGES FILED BY PAUL AND JEAN FORCHELLI, DATE OF LOSS – SEPTEMBER 8, 2014

AGENDA CATEGORY:

BUSINESS SESSION:

CONSENT CALENDAR: 8

STUDY SESSION:

PUBLIC HEARING:

RECOMMENDED ACTION:

Deny the claim for damages of Paul and Jean Forchelli in its entirety.

EXECUTIVE SUMMARY:

- A claim was filed by Paul and Jean Forchelli with a reported date of loss of September 8, 2014.
- It was forwarded for review to Carl Warren & Company ("CW"), the City's claims administrator, and they recommended denial of the claim.

FISCAL IMPACT:

Stated damages are approximately \$91,378.

BACKGROUND/ANALYSIS:

The claimants allege 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.

CW recommends denying the claim, stating the noted storm created such a large volume of water that it completely overwhelmed the existing storm drain system which was operable and sufficient under normal storm conditions.

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

