



City of La Quinta

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

ITEM TITLE: DENY CLAIM FOR DAMAGES FILED BY OMAR ADRIAN VIVAS, et al; DATE OF LOSS – OCTOBER 11, 2014

AGENDA CATEGORY:

BUSINESS SESSION:

CONSENT CALENDAR: 10

STUDY SESSION:

PUBLIC HEARING:

RECOMMENDED ACTION:

Deny the claim for damages of Omar Adrian Vivas, et al, in its entirety.

EXECUTIVE SUMMARY:

- A claim was filed by Omar Adrian Vivas, et al, with a reported date of loss of October 11, 2014.
- It was forwarded to Carl Warren & Company ("CW"), the City's claims administrator.
- CW reviewed the claim and recommends denial, as the reported incident involved the Riverside County Sheriff's Office.

FISCAL IMPACT:

Stated damages are in excess of \$15,000,000.

BACKGROUND/ANALYSIS:

The claimant alleges physical, mental, and emotional injuries as a result of La Quinta Police operations. CW recommends tendering the claim to Riverside County Sheriff's Office, as they have agreed to indemnify the City against all claims of this nature.

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

