

City of La Quinta

CITY COUNCIL MEETING: July 7, 2015

STAFF REPORT

AGENDA TITLE: DENY CLAIM FOR DAMAGES FILED BY CYNTHIA DOMINGUEZ; DATE OF LOSS – MAY 7, 2015

RECOMMENDATION

Deny the claim for damages of Cynthia Dominguez in its entirety.

EXECUTIVE SUMMARY

- A claim was filed by Cynthia Dominguez with a reported date of loss of May 7, 2015 for damages.
- It was forwarded to Carl Warren & Company (“CW”), the City’s claims administrator.
- CW reviewed the claim and recommends denial, as the reported incident was due to an act of nature.

FISCAL IMPACT

Stated damages are in excess of \$921.

BACKGROUND/ANALYSIS

The claimant alleges a tree fell over at a City-owned sports park and damaged her parked vehicle. CW recommends rejection as the damage was due to an act of nature over which the City had no control.

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 by: Frank J. Spevacek, City Manager

