

# City of La Quinta

CITY COUNCIL MEETING: July 7, 2015

## STAFF REPORT

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**AGENDA TITLE:** DENY CLAIM FOR DAMAGES FILED BY MAYRA MARTINEZ; DATE OF LOSS – MAY 7, 2015

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### RECOMMENDATION

Deny the claim for damages of Mayra Martinez in its entirety.

### EXECUTIVE SUMMARY

- A claim was filed by Mayra Martinez 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 \$3,257.

### 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

