

City of La Quinta

CITY COUNCIL MEETING: July 21, 2015

STAFF REPORT

AGENDA TITLE: DENY CLAIM FOR DAMAGES FILED BY ELIZABETH HAY; DATE OF LOSS – SEPTEMBER 8, 2014

RECOMMENDATION

Deny the claim for damages of Elizabeth Hay in its entirety.

EXECUTIVE SUMMARY

- A claim was filed by Elizabeth Hay with a reported date of loss of September 8, 2014 for flood damages.
- 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 in excess of \$50,000.

BACKGROUND/ANALYSIS

The claimant states that after heavy rain for a four-hour period, water filled the golf course lakes, overflowed into the community, and ran down her street. The water rose and seeped under the front door and through her home soaking the walls and flooring. The claimant believes the storm drains were blocked, permitting the flooding condition. 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 by: Frank J. Spevacek, City Manager

