



City of La Quinta

CITY / SA/ HA/ FA MEETING DATE: December 16, 2014

ITEM TITLE: DENIAL OF CLAIM FOR DAMAGES FILED BY ISRAEL L. FLORES; DATE OF LOSS – OCTOBER 24, 2014

AGENDA CATEGORY:

BUSINESS SESSION:

CONSENT CALENDAR: 3

STUDY SESSION:

PUBLIC HEARING:

RECOMMENDED ACTION:

Deny the claim for damages of Israel L. Flores in its entirety.

EXECUTIVE SUMMARY:

- A claim was filed by Israel L. Flores with a reported date of loss of October 24, 2014, for injuries to himself and damages to his bicycle.
- It was forwarded to Carl Warren & Company ("CW"), the City's claims administrator.
- CW reviewed the claim and recommends denial, as the claimant was riding after dark without a source of illumination on his bicycle.

FISCAL IMPACT:

Stated damages are in excess of \$1,350.

BACKGROUND/ANALYSIS:

The claimant alleges a sign in the bike lane caused damage to his bicycle and injury to him on October 24, 2014. The damage appears to have been caused through the claimant's violation of the Vehicle Code by operating the bicycle after dark without a source of illumination. Therefore, CW recommends denying this claim.

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

