

## Legislation Details (With Text)

**File #:** #18-402      **Version:** 1      **Name:**  
**Type:** Liability Claims      **Status:** Failed  
**File created:** 11/14/2018      **In control:** City Council  
**On agenda:** 12/3/2018      **Final action:** 12/4/2018  
**Title:** LIABILITY CLAIM OF DAVID NUNES (DOL 03/30/18)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
12/4/2018	1	City Council	denied	Pass

**PREPARED BY:** SARAH MAROOF

**DATE OF MEETING:** 12/03/18

**SUBJECT:**

LIABILITY CLAIM OF DAVID NUNES (DOL 03/30/18)

### **CITY MANAGER RECOMMENDATION**

Deny Claim

### **COMPLIANCE STATEMENTS**

This action is not applicable under the FY 2018-2021 Council Priority Work Plan effective November 1, 2017, but is related to Policy Item Fiscal Sustainability: Budget Spending Controls.

### **CEQA Compliance Statement**

This is not a project as defined by CEQA.

### **BACKGROUND**

Under the Government Claims Act, California Government Code Section 810 *et seq*, there is a process for submitting a claim when a public agency is allowed to be liable. As set forth in Section 815(a): "Except as otherwise provided by Statute: [a] A public entity is not liable for an injury, whether such injury arises out of an act or omission of the public entity or a public employee or any other person."

### **FISCAL IMPACT**

Claims are generally addressed through the City's joint risk pool as a General Fund obligation.