

Legislation Text

File #: #19-040, Version: 1

PREPARED BY: SARAH MAROOF

DATE OF MEETING: 02/04/19

SUBJECT:

LIABILITY CLAIMS OF DAWNYA WALKER (DOL 10/15/18) AND ASCENT BUILDERS

CITY MANAGER RECOMMENDATION

Deny claim of Dawnya Walker; and

Deny claim of Ascent Builders as untimely as to any cause of action with a 6-month claim presentation requirement and deny on the merits as to any other cause of action

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.