



Legislation Details (With Text)

File #: SC-1819-2 **Version:** 1 **Name:** Special Claim from Daniela Flores
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Title: SPECIAL CLAIM SC-1819-2: SUBMITTED BY DANIELA FLORES IN THE AMOUNT OF \$3,269.53 FOR DAMAGE TO HER VEHICLE AS A RESULT OF AN ACCIDENT WITH A FRONT END LOADER WHILE PICKING UP DEBRIS DURING SPRING CLEANUP AT 340 WICHITA DRIVE.

Sponsors:

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Attachments: 1. Text File, 2. City Clerk Memo, 3. Notice of Tort Claim, 4. Estimate, 5. Photographs

Date	Ver.	Action By	Action	Result
9/11/2018	1	City Council		

SPECIAL CLAIM SC-1819-2: SUBMITTED BY DANIELA FLORES IN THE AMOUNT OF \$3,269.53 FOR DAMAGE TO HER VEHICLE AS A RESULT OF AN ACCIDENT WITH A FRONT END LOADER WHILE PICKING UP DEBRIS DURING SPRING CLEANUP AT 340 WICHITA DRIVE.

BACKGROUND: A claim was filed by Daniela Flores in the amount of \$3,269.53 for damages to her car when it was struck by a City front loader on April 28, 2018, at 340 Wichita Drive.

DISCUSSION: This incident was investigated by Carrie Evenson, Stormwater Program Manager, who found that on April 28, 2018, City employees were performing Spring Clean-Up on Wichita Drive. Also located in the area was Ms. Flores' car which was legally parked along the curb. A City employee was operating a front loader near a debris pile when he misjudged the distance between the front loader and Ms. Flores' car and subsequently struck her car with the front bucket of the loader.

Ms. Flores submitted three (3) estimates to repair the left rear quarter panel, door and rear bumper of her 2013 Chevrolet Sonic, with the lowest estimate being \$3,269.53. As indicated above, there appears to be possible negligence on the part of the City in this matter and consequently potential liability on the City. Ms. Flores' claim, in the amount of \$3,269.53, appears reasonable.

RECOMMENDATION: Based upon the above and foregoing, it is the recommendation of the City Attorney's office that the claim of Daniela Flores, in the amount of \$3,269.53 as set forth above, be approved.