



# CITY COUNCIL AGENDA REPORT



**DEPARTMENT:** Human Resources

**MEETING DATE:** July 11, 2000

**PREPARED BY:** Theresa St. Peter

**AGENDA LOCATION:** \*F-2 Consent

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**TITLE:**

Denial of Liability Claim – Carlos C. Avina v. City of Monrovia

**OBJECTIVE:**

The objective is to provide the basis for the City Council to take action related to this liability claim filed against the City.

**BACKGROUND:**

Mr. Avina claims that while driving near the intersection of Primrose and Olive Avenues on January 16, 2000, the operator of a Monrovia Transit vehicle failed to stop for a posted stop sign. The driver, therefore, collided with the vehicle driven by Mr. Avina. Mr. Avina also indicated that the vehicle was travelling at an unsafe speed. Mr. Avina's vehicle was damaged and he alleges that he suffered personal injuries to the head, neck, back, chest, arms and legs.

**ANALYSIS:**

A private contractor, Dootsen Enterprises, is contracted to be responsible for the operation and maintenance of the Monrovia Transit vehicles and has named the City of Monrovia as an additional insured. Therefore the City bears no responsibility in this matter.

**FISCAL IMPACT:**

Claimant is seeking approximately \$250,000 for injuries, property damage and loss of use.

**RECOMMENDATION:**

Staff recommends that Council deny this claim.

**COUNCIL ACTION REQUIRED:**

If Council concurs, the appropriate recommendation would be to include Agenda Item F-2 in the approval of the Consent Calendar.

Respectfully submitted,

Theresa St. Peter

Director of Human Resources and Risk Management

**\*F-2**