



CITY COUNCIL AGENDA REPORT



DEPARTMENT: Human Resources/Risk Management **MEETING DATE:** January 20, 2004

PREPARED BY: Theresa St. Peter, Director

AGENDA LOCATION: *F-1 Consent

TITLE: Denial of Liability Claim – Judy Besselievre vs. City of Monrovia

OBJECTIVE: To provide the basis for the City Council to take action related to this liability claim filed against the City.

BACKGROUND: Fire Department personnel responded to a call for assistance and were required to forcibly enter a residence through the front door. As a result, Ms. Besselievre was transported in order to receive further care.

Ms. Besselievre's father indicated he would remain at the home until someone could come out to secure the front door. When the repair personnel arrived, the father had left and Police personnel then responded to the location, ensured that the door was secured and paid the bill.

Ms. Besselievre maintains that no attempt was made to contact her prior to City personnel entering her premises and she wants the City to reimburse her for the door.

ANALYSIS: City personnel responded appropriately to this call for assistance. Additionally, California Government Code Sections 820.2, 820.4, and 820.8 provide immunities for Police and Fire personnel in the performance of their duties. Therefore, the City bears no responsibility in this matter.

FISCAL IMPACT: Claimant is seeking \$100 in damages.

RECOMMENDATION: Staff recommends that Council deny this claim.

COUNCIL ACTION REQUIRED: If the City Council concurs, the appropriate action would be a motion to deny this claim filed by Judy Besselievre against the City of Monrovia.

Theresa St. Peter
Director of Human Resources & Risk Management

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