



CITY COUNCIL AGENDA REPORT



DEPARTMENT: Human Resources/Risk Management

MEETING DATE: March 18, 2008

PREPARED BY: Theresa St. Peter, Director of Human Resources & Risk Management

AGENDA LOCATION: CC-5

TITLE: Denial of Liability Claim – Royal Oaks Village Homeowner’s Association 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: The City of Monrovia installed a signal light at the intersection of Bradbury and Royal Oaks. As required by law, an ADA accessible ramp was constructed at the intersection on the south side of Royal Oaks.

On January 4 through January 7, 2008, there was a substantial rainstorm. The Royal Oaks Homeowner’s Association alleges the ADA ramp allowed water to flow from the street onto the sidewalk into two condominium units. As a result, two condominium units received water damage.

ANALYSIS: Preliminary investigation shows the ramp is located downslope from the affected condominium units. The amount of water flowing onto the sidewalk from the ramp appears minimal and a majority of the water causing damage to the condominium units flowed into the units via the driveway to the units.

Another issue exists whether the drainage from another condominium project upslope from the Royal Oaks Village condominium project overtaxed the drainage capacity of the City’s street causing an excessive amount of water to flow on the street and into the Royal Oaks Village project.

Therefore, the City bears no responsibility for this matter.

FISCAL IMPACT: Claimant is seeking over \$25,000 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 the claim filed by Royal Oaks Village Homeowner’s Association against the City of Monrovia.

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