

ITEM 10.N.

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: Deborah S. Traffenstedt, Deputy City Manager *DST*

BY: Tracy J. Moe, Administrative Specialist *TM*

DATE: September 28, 2011 (CC Meeting of 10/05/11)

SUBJECT: Consider Rejection of Claim from: Michael and Veronica Fisher

BACKGROUND

The City received the above referenced Claim on August 22, 2011. A copy of the claim is provided under separate cover. The claim was forwarded to the City's claims adjuster, Carl Warren & Co. (Carl Warren), for review.

DISCUSSION

The stated reason for the claim is for damages to claimants' lateral sewer line resulting from the City not maintaining the line and from tree roots damaging it from the inside out. The City's claim adjuster, Carl Warren, investigated the claim and did not conclude there are any City-owned trees located around the claimants' residence to cause the damage, the sewer main located at the claimants' street is maintained by the County of Ventura, and has recommended that a standard rejection letter be sent to the claimant.

STAFF RECOMMENDATION

Reject the claim and direct staff to send a standard rejection letter to the claimant.