

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

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

BY: Tracy Moe, Administrative Specialist *TM*

DATE: May 9, 2012 (CC Regular Meeting of 05/16/2012)

SUBJECT: Consider Rejection of Claim from: State Farm Insurance Companies

BACKGROUND

The City received the above referenced Claim on April 25, 2012. 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

On March 21, 2012, Council rejected a claim received on February 2, 2012, from Drew and Bess Kaplan. The Kaplan's insurance company, State Farm Insurance, submitted their subrogation demand on April 25, 2012. The stated reason for the claim is for damages to claimant's car resulting from fallen tree branches from a City-owned tree located at Mountain Meadows Park. The City's claim adjuster, Carl Warren, investigated the claim and did not conclude the City was liable for the damage due to an act of nature, 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.